

QUEENSLAND
Prostitution Act 1999
Part 3 Section 35 (2)(a)



Prostitution Licensing Authority

APPROVED MANAGER'S CERTIFICATE APPLICATION

Contains

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9. Further Information about the Prostitution Act 1999
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Please read instructions carefully before completing all forms and lodging with:

The Office of the
Prostitution Licensing Authority
GPO Box 3196
Brisbane Qld 4001

Applicant Surname _____

IMPORTANT

WARNING ABOUT FALSE OR MISLEADING INFORMATION OR INCOMPLETE DISCLOSURE

Applicants and other persons completing this form should be aware that action may be taken should information or documents be supplied that are false, misleading or incomplete.

Further, a certificate is automatically cancelled if the manager is convicted of an offence of giving false or misleading information or documents to the Prostitution Licensing Authority.

Staff are available, by appointment, to provide information about making an application to the Prostitution Licensing Authority. You may contact the Office of the PLA between 9.00am and 5.00pm Monday to Friday on telephone (07) 3858 9500

Applicant Surname _____

INSTRUCTIONS FOR COMPLETION

1. Type or print in BLOCK LETTERS and answer EVERY question.
 2. Please use a BLACK or BLUE ballpoint pen when completing forms.
 3. Corrections are to be struck out with a line and initialled. Correction fluid is not acceptable.
 4. If a question does not apply state 'N/A' (not applicable) in the box.
 5. If there is nothing to disclose in reply to a particular question state 'NIL'.
 6. If there is insufficient space to answer a question, additional information may be provided by attachment. When using an attachment page begin each answer with the title and question number being answered.
 7. Each attached page should be signed and dated by the applicant.
 8. All dates should be completed in the form: DD/MM/YYYY for example 01/01/1950
 9. This application is to be completed in the English language. Any documents not in English are required to have a certified English translation attached.
 10. Two passport size photographs to be attached. The photograph identification must:
 - be no more than three months old;
 - display a full view of the head and shoulders without any head covering or tinted glasses (if you normally wear glasses you should do so in the photograph);
 - be approximately 35 mm wide x 45 mm high (passport size) against a light background and in colour;
 - have printed on the back of the photograph the applicant's name, date and witness signature.
- Note:** the witness of your photograph MUST NOT be a relative or person residing at the same address as you.
11. Attach a certified copy of your birth certificate
 12. Attach a certified copy of your passport
 13. Attach a certified copy of the front and back of your driver's licence
 14. Attach a certified copy of a current Apply First Aid Certificate including Cardiopulmonary Resuscitation (CPR) certification.
 15. Documents or other information sought from authorities in Australia may not be applicable to an individual currently or previously residing in another country. In such cases the documents or information should be obtained from the equivalent authority of that country.
 16. Please enclose all relevant fees with the application form. Any application form received without the correct fees will be returned to sender.
 17. Relevant enquiries should be directed to:
The Office of the Prostitution Licensing Authority on telephone (07) 3858 9500.
(for calls made outside Australia the number is 61 7 3858 9500).

Applicant Surname _____

AUTHORITY FOR RELEASE OF INFORMATION

I,
Full name of the applicant

of
Address of applicant

grant an Authority on the following terms:

1. I acknowledge that, for the purpose of determining my suitability to hold an approved manager's certificate, I authorise the Office of the Prostitution Licensing Authority and/or Queensland Police Service, to conduct any inquiries considered appropriate by the Office of the Prostitution Licensing Authority and/or Queensland Police Service under the Prostitution Act 1999 (the Act).
2. I authorise the Office of the Prostitution Licensing Authority and/or Commissioner and any person conducting any investigations or inquiries on behalf of the Office of the Prostitution Licensing Authority and/or Commissioner for the purposes of the Act to obtain any information and make any investigations or inquiries which relate to me and may be relevant to any of the purposes of the Act, in any jurisdiction.
3. I authorise the manager or other authorised officer of any branch or office of a bank or financial institution in any jurisdiction to whom a copy of this Authority is presented to inspect and obtain copies of, or to release to any official, any record, document or other information of any kind, in written, electronic or any other form, which relates to me and is held by the bank or financial institution.
4. I authorise any officer of any police service, law enforcement agency or regulatory body in any jurisdiction to whom a copy of this Authority is presented to release to any official any information or official record of any kind, in written, electronic or any other form, which relates to me and is held by the police service, agency or body, including any information relating to my personal and criminal history.
5. I will at all times sufficiently indemnify those persons referred to in 3 and 4 above and keep those persons referred to in 3 and 4 above indemnified against all liability in respect of the supply or publication of the information and against all actions, suits, proceedings, claims, demands, costs and expenses whatsoever which may be taken against those persons referred to in 3 and 4 above or incurred or become payable by the persons in respect thereof.
6. To make arrangements for the Office of the Prostitution Licensing Authority to obtain information directly from a person who is or may be an associate.

.....
Signature of applicant

.....
Signature of witness

..... / /
Date

.....
Witness name

.....
Address of witness

.....
Date of birth of witness

Applicant Surname _____

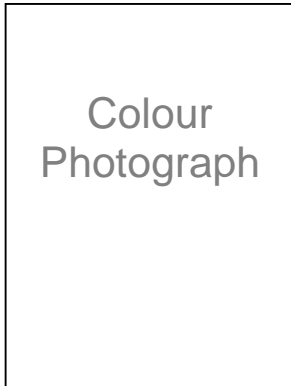
PHOTOGRAPH IDENTIFICATION FORM

I,
Full name of the applicant

hereby declare below:

- (a) I am the person identified in this document, and
- (b) I am the person in the photographs provided (which less than three months old).

Note: Photographs are to be attached by paperclip only. DO NOT use glue, staples or sticky tape to attach the photographs.



Date of Photographs:

Photograph attached and this form signed
at
this day of 20

.....
Signature of the applicant

WITNESS DECLARATION

I confirm that the above attached photographs are photographs of

.....
Name of applicant

.....
Address of applicant

whom I have known for a period of not less than two years.

I have personally endorsed on the back of each photograph the applicant's full name, date and my signature.

.....
Name of witness

.....
Date of birth of witness

.....
Address of witness

.....
Home telephone

.....
Daytime phone

Dated at this day of 20

.....
Signature of the witness

Applicant Surname _____

**Approved Manager Certificate
FORM A
STATEMENT OF PERSONAL
DETAILS**

**Please use BLOCK LETTERS
Please place an "X" in the boxes where appropriate,
to show your answers**

Section A – Applicant's details

1. Your surname

Given name(s) (First and any second names)

Title (please circle)
 Mr/Ms/Mrs/Dr/Other please specify:

Other names or aliases (including maiden name if applicable)

2. Have you ever been known by any other name?
 This includes any maiden name, former married name or any name you have previously used, whether your name has been changed or not.

No Go to the next question
 Yes Please specify below what other name(s) you have been known by:

3. Date of birth **Gender (circle)**

/ / Male / Female

Place of birth

.....
 City / Town State / Territory

.....
 Country

4. Current residential address
 (PO Box not acceptable)

Postcode

Daytime contact number **After hours number**

() ()

Fax number **Mobile phone number**

()

E-mail address (if applicable)

Current postal address. The PLA will send all correspondence to this address.

Postcode

5. Occupation

Employer

Employer's daytime phone

 ()

6. Physical description

Height **Weight**

cm kg

Build **Complexion**

Colour of eyes **Colour of hair**

Please describe any distinguishing marks, for example, scars, tattoos (provide additional information by attachment)

7. Are you an Australian citizen?

No Please specify details below
 Yes Please go to the next questions

Your citizenship

Type of visa permitting you to work in Australia

➤ If you answered **No** to the above question please provide a certified copy of your current Australian Visa

Applicant Surname _____

8. If you are a naturalised citizen of Australia, complete details below.

Date of naturalisation

 / /

Place of naturalisation

Certificate number

Section B – Offences

9. Have you ever, in Australia or elsewhere, been convicted of a disqualifying offence (a 'disqualifying offence' is explained in the "Definitions used in association with the *Prostitution Act 1999*")?

- No Go to the next question
- Yes Please specify details (date, type of offence, State /Territory) by attachment

10. Have you ever been convicted of an offence against the *Prostitution Act 1999* or any corresponding law in Australia (a 'corresponding law' is explained in the definitions)?

- No Go to the next question
- Yes Please specify details (date, type of offence, State /Territory) by attachment

11. Have you ever, in Australia or elsewhere, been convicted of a criminal offence other than a disqualifying offence?

- No Go to the next question
- Yes Please specify details (date, type of offence, State /Territory) by attachment

12. Have you ever, in Australia or elsewhere, been convicted of a prostitution offence?

- No Go to the next question
- Yes Please specify details (date, type of offence, State /Territory) by attachment

13. Have you ever, in Australia or elsewhere, been convicted of an offence, the facts of which constitute the running of a brothel?

- No Go to the next question
- Yes Please specify details (date, type of offence, State /Territory) by attachment

14. Are you an associate, as defined in "Definitions", of a person or body corporate or an executive officer who has been convicted of a disqualifying offence, in Australia or elsewhere?

- No Go to the next question
- Yes Please specify details (date, type of offence, State /Territory) by attachment

15. Are you an associate of a person or a body corporate or an executive officer who has been convicted of an offence against the *Prostitution Act 1999* or any corresponding law, in Australia or elsewhere?

- No Go to the next question
- Yes Please specify details (date, type of offence, State /Territory), of each person, body corporate or executive officer by attachment

16. Are you an associate of a person or a body corporate or an executive officer who has been convicted of a criminal offence other than a disqualifying offence, in Australia or elsewhere?

- No Go to the next question
- Yes Please specify details (date, type of offence, State /Territory) by attachment

17. Have you, in Australia or elsewhere, been charged with an offence of a sexual nature? (It is immaterial whether you were convicted of the offence alleged or not, or whether the prosecution was completed or not.)

- No Go to the next question
- Yes Please specify details including the circumstances surrounding the laying of the charge and whether proceedings in relation to the charge are continuing or have been discontinued. Provide information by attachment.

Section C – Company/Business

18. Please provide details of any company in which you, or a company which you are associated with, have a controlling interest. A controlling interest is greater than 15% shareholding or greater than 15% representation on the company board.

No Go to the next question

Yes Please specify details below

List all trading names and trademarks under which the company, its holding company and subsidiaries of the holding company operate.

Company name as currently incorporated

Name of the ultimate holding entity of the company

Other names the company has been known by (if applicable)

Australian Company Number (ACN)

Australian Business Number (ABN)

Company's registered office address

Postcode

Address of the principal place of business (if different from above)

Postcode

19. Have you, either individually or as a director, company secretary or other office holder, ever had any type of occupational licence suspended or cancelled, in Australia or elsewhere? (Additional information to be provided by attachment.)

No Go to the next question

Yes Please specify details below

Company name

Type of occupational licence

Authority/organisation

Reason(s) for suspension/cancellation

20. Have you, either individually or as a director, company secretary or other office holder, ever been dismissed, discharged or asked to resign from any employment, in Australia or elsewhere?

No Go to the next question

Yes Please specify details by attachment

Section D – Armed forces

21. Have you ever served in any Armed Forces either in Australia or elsewhere?

No Go to question 23

Yes Please specify details below

Country

Arm of service

Branch

Date of entry

 / /

Date of discharge

 / /

Type of discharge

Rank at discharge

Serial number

22. While in the armed forces were you ever arrested for an offence that resulted in summary action, a trial, or court martial?

No Go to the next question

Yes Please specify details by attachment

Section E – Weapons

23. Do you or your spouse/de facto own a weapon?

No Go to the next question

Yes Please specify details by attachment

Applicant Surname _____

24. Have you or your spouse/de facto ever been issued a weapons licence in Australia or elsewhere?

- No Go to the next question
- Yes Please specify details below

(i) Name on the licence (if applicable)

Date of application

Place filed

Reason(s) for ownership

Licence number

Licence expiry date

(ii) Name on the licence (if applicable)

Date of application

Place filed

Reason(s) for ownership

Licence number

Licence expiry date

25. Have you or your spouse/de facto ever applied for a weapons licence and been refused?

- No Go to the next question
- Yes Please specify details below

(i) Name of applicant

Address of applicant

Postcode

Date of application

Place filed

Reason(s) for refusal

(ii) Name of applicant

Address of applicant

Postcode

Date of application

Place filed

Reason(s) for refusal

Section F – Passport and travel

26. Do you currently hold or have you ever held a passport from any country including Australia?

- No Go to the next question
- Yes Please specify details, If you have more than two passports please provide additional information by attachment. If you are not an Australian citizen you must attach a certified photocopy of your passport, residency status and visa permitting you to work in Australia.

Section G - Arrests, detentions and litigation

Please note that disclosure of these matters with respect to a conviction or charge under a Queensland law is not limited by any timeframe. The Criminal Law (*Rehabilitation of Offenders*) Act 1986 does not apply.

However, you may be entitled to claim a right of non-disclosure of matters arising under Federal law or laws in jurisdictions other than Queensland.

If you are seeking entitlement to non-disclosure and will not be answering the questions below, please place an "X" in this box .

An attachment setting out your reason(s) for non-disclosure, including copies of the relevant legislation, should accompany this form.

If you have any concerns in this regard you should either contact:

- the Privacy Commissioner (Federal) on privacy hotline 1300 363 992; or
- the equivalent body in your State; or
- your solicitor.

27. Have you in Australia or elsewhere

No / Yes

- | | | |
|--|--------------------------|--------------------------|
| • been convicted of an offence other than those previously stated in Section B? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been investigated (to the best of your knowledge) by a law enforcement agency? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been arrested by a law enforcement agency? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been detained by a law enforcement agency? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been charged by a law enforcement agency? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been summonsed before a court to answer any offence for any reason whatsoever regardless of the outcome of the action? | <input type="checkbox"/> | <input type="checkbox"/> |
| • had any charge proved against you without a conviction being recorded? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been cautioned by the police? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been the subject of a Domestic Violence Order? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been the subject of a disqualified, cancelled or suspended driver's licence? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been a party in a civil lawsuit, either personally or as a company officer, or are you aware of any such action that may be pending? | <input type="checkbox"/> | <input type="checkbox"/> |
| • had a judgement returned against you personally as a director, company secretary or other office holder? | <input type="checkbox"/> | <input type="checkbox"/> |
| • been the subject of debt recovery action in the last 12 months? | <input type="checkbox"/> | <input type="checkbox"/> |

➤ If you answered **Yes** to any of the above, provide full details of each arrest, detention, debt recovery action and/or litigation by attachment including a brief description, dates and outcomes.

NOTE: 'Law enforcement agency' includes but is not limited to State, Federal and overseas agencies such as police services, crime authorities, crime commissions, commissions against corruption, securities and investment commissions, customs services, taxation offices, competition and consumer commissions and any regulatory authority for prostitution.

Applicant Surname _____

Section H - Involvement in prostitution

28. Do you currently have an interest in any licensed brothel in Australia? (Interest in a brothel' is explained in the definitions.)

- No Go to the next question
 Yes Please specify details of the licensee and premises by attachment

29. Do you directly or indirectly receive income from the provision of prostitution at a licensed brothel, in Australia? (Excluding salary.)

- No Go to the next question
 Yes Please specify details by attachment

30. Are you, or have you ever been associated, in Australia or elsewhere, with the ownership, administration or management of, or held any financial interest in:

- | | No / Yes | |
|---|--------------------------|--------------------------|
| a brothel? | <input type="checkbox"/> | <input type="checkbox"/> |
| an escort agency? | <input type="checkbox"/> | <input type="checkbox"/> |
| a brothel and escort agency? or | <input type="checkbox"/> | <input type="checkbox"/> |
| any other business in connection with prostitution? | <input type="checkbox"/> | <input type="checkbox"/> |

➤ If you answered **Yes** to any of the above please specify details by attachment

31. Do you have any interest, financial or otherwise, in any other company/business, person or other body involved with the ownership, administration or management of:

- | | No / Yes | |
|---|--------------------------|--------------------------|
| a brothel? | <input type="checkbox"/> | <input type="checkbox"/> |
| an escort agency? | <input type="checkbox"/> | <input type="checkbox"/> |
| a brothel and escort agency? or | <input type="checkbox"/> | <input type="checkbox"/> |
| any other business in connection with prostitution? | <input type="checkbox"/> | <input type="checkbox"/> |

➤ If you answered **Yes** to any of the above please specify details by attachment

32. Have you ever provided any financial assistance or other support to any other company, person, or other body involved with the ownership, administration or management of:

- | | No / Yes | |
|---|--------------------------|--------------------------|
| a brothel? | <input type="checkbox"/> | <input type="checkbox"/> |
| an escort agency? | <input type="checkbox"/> | <input type="checkbox"/> |
| a brothel and escort agency? or | <input type="checkbox"/> | <input type="checkbox"/> |
| any other business in connection with prostitution? | <input type="checkbox"/> | <input type="checkbox"/> |

➤ If you answered **Yes** to any of the above please specify details by attachment

33. Are you, or have you ever, in Australia or elsewhere, operated as a sole operator in the provision of prostitution or as an exempt prostitution service provider? (An 'exempt prostitution service provider' is explained in the definitions.)

- No Go to the next question
 Yes Please specify details by attachment

34. Have you ever, in Australia or elsewhere, carried on business as a licensed provider of prostitution services (this includes escort agencies)?

- No Go to the next question
 Yes Please specify details by attachment

35. Have you ever, in Australia or elsewhere, been subject to disciplinary action in relation to operating a brothel as a licensed provider? ('disciplinary action' is described in the definitions.)

- No Go to the next question
 Yes Please specify details by attachment

36. Have you ever, in Australia or elsewhere, been employed as a licensed or certified manager of a brothel?

- No Go to the next question
 Yes Please specify details by attachment

37. Have you ever, in Australia or elsewhere, been subject to disciplinary action as a licensed or certified manager of a brothel?

- No ► Go to the next question
 Yes ► Please specify details by attachment

38. Are you, or have you ever been engaged in, prostitution operations or activities in any capacity or otherwise involved in the prostitution industry in Australia or elsewhere?

- No ► Go to the next question
 Yes ► Please specify details by attachment

39. Have you previously been subject to integrity investigations (for whatever reason) in Australia or elsewhere?

- No ► Go to the next question
 Yes ► Please specify details by attachment

Section I - Licences/certificates/ Approvals

40. Are you the holder of a current driver's licence?

- No ► Go to the next question
 Yes ► Please provide a certified photocopy by attachment of the front and back of the licence and complete the following

Licence number

State / Territory

Expiry date / / Date of birth / /

41. Do you currently hold a licence or permit under the *Liquor Act 1992*?

- No ► Go to the next question
 Yes ► Please specify details below

Date of issue

Place of issue

Authority/organisation

Type of licence/permit

Licence/permit number (if applicable)

Expiry date
 / /

Premises name

Premises address

Postcode

42. Are you currently a nominee in respect to any licence or permit under the *Liquor Act 1992*? (Additional information to be provided by attachment.)

- No ► Go to the next question
 Yes ► Please specify details below

Date of issue

Place of issue

Authority/organisation

Type of licence/permit

Licence/permit number (if applicable)

Expiry date
 / /

Premises name

Premises address

Postcode

Applicant Surname _____

43. Are you currently a controller who supervises the provision of adult entertainment under a licence or permit issued under the *Liquor Act 1992*? (Additional information to be provided by attachment.)

- No ► Go to the next question
 Yes ► Please specify details below

Date of issue

Place of issue

Authority/organisation

Type of licence/permit

Licence/permit number (if applicable)

Expiry date

Premises name

Premises address

 Postcode

44. Do you currently hold, or have you ever held, any other licence or certificate?

- No ► Go to the next question
 Yes ► Please specify details below

- List below all licences, certificates or approvals (including authorisations to act on behalf of another person) you hold/have held in relation to prostitution or otherwise, whether issued in Queensland or elsewhere.
- Include any licence or certificate that has been disqualified, cancelled, suspended or had conditions attached. You must include information previously provided. Explain the reason(s) for any disqualification, cancellation or suspension and the nature of any attached condition by attachment.

Date of issue

Place of issue

Authority/organisation

Type of licence/certificate/approval

Licence/certificate/approval number (if applicable)

Expiry date

Status of licence/certificate/approval

Business name (if applicable)

Business address (if applicable)

 Postcode

45. Do you belong to any professional body, association or institute? (CPA, Law Society etc.)

- No ► Go to the next question
 Yes ► Please specify details by attachment

46. Have you ever been investigated or disciplined by a professional body, association or institute?

- No ► Go to the next question
 Yes ► Please specify details by attachment

47. Have you ever, in Australia, been subject to an order declaring you to be ineligible to apply for any licence and/or certificate with respect to prostitution?

- No ► Go to the next question
 Yes ► Please specify below

Date of application

Place of application

Authority/organisation

State/Territory

Applicant Surname _____

Type of licence/certificate

Reason(s) for ineligibility to apply

48. Have you ever, in Australia, applied to carry on a business to provide prostitution at a brothel and been refused?

No Go to the next question

Yes Please specify details below

Date of application

Place of application

Authority/organisation

State/Territory

Type of application

Reason(s) for refusal

49. Have you ever, in Australia, applied to manage a brothel and been refused?

No Go to the next question

Yes Please specify details below

Date of application

Place of application

Authority/organisation

State/Territory

Type of application

Reason(s) for refusal

50. Have you ever, in Australia, had a certificate or other authority to manage a brothel cancelled in the last three years?

No Go to the next question

Yes Please specify details below

Date of application

Place of application

Authority/organisation

State/Territory

Type of application

Reason(s) for cancellation

51. Have you ever, in Australia, held a licence or other authority to provide prostitution at a brothel cancelled in the last three years?

No Go to the next question

Yes Please specify details below

Date of application

Name under which certificate or authority was cancelled

Place of application

Authority/organisation

State/Territory

Type of application

Reason(s) for cancellation

Applicant Surname _____

52. Have you ever made an application to any local authority in Australia to use premises for a brothel and been refused?

- No Go to the next question
 Yes Please specify details below

Date of application
 / /

Place of application

Name of the local authority

State/Territory

Type of application

Reason(s) for refusal

53. Are you the owner or lessor of any property or premises in Australia-

- which has been approved by a local authority for use as a brothel; or
- for which an application has been lodged with a local authority for use as a brothel, or
- for which it is intended to lodge an application with a local authority for use as a brothel?

- No Go to the next question
 Yes Please indicate which one and provide details by attachment.

54. Have you ever been the owner of premises that has been declared a prohibited brothel?

- No Go to the next question
 Yes Please specify details below

Address

Postcode

Date of declaration
 / /

Name and location of the court where the declaration was made

Period of declaration (Days/Months/Years)

Reason(s) for declaration

55. Have you ever been the occupier of premises that has been declared a prohibited brothel?

- No Go to the next question
 Yes Please specify details below

Address

Postcode

Date of declaration
 / /

Name and location of the court where the declaration was made

Period of declaration (Days/Months/Years)

Reason(s) for declaration

Section J – Financial information

56. Have you ever been bankrupt or take advantage of laws relating to bankruptcy?

- No Go to the next question
 Yes Please specify details below

Date of bankruptcy/arrangement
 / /

Date of discharge/completion (proposed date)
 / /

Name of trustee

Address (PO Box not acceptable)

Postcode

Applicant Surname _____

Daytime contact number Fax number
 () ()

Circumstances leading to bankruptcy/arrangement proceedings (including details of any pending arrangements)

- 57.** Have you ever been a director or officer of a company:
- (a) which has been placed into liquidation, receivership, scheme of arrangement or under other formal insolvency administration; or
 - (b) where an agent for the mortgagee has been appointed; or
 - (c) where an investigation into the affairs of the company has been authorised by the Australian Securities and Investment Commission, its predecessors or equivalent overseas body.

- No ► Go to the next question
 Yes ► Please specify details below

Details of circumstances leading to proceedings (including details of any pending arrangements) and a copy of the external administrator's report should be attached if available.

Type of proceedings

Commencement date

/ /

Company name

Name of trustee, administrator, liquidator or receiver/manager

Daytime contact number Fax number
 () ()

Details of circumstances leading to proceedings (including details of any pending arrangements)

58. Has your salary, wage, earnings or other income ever been subject to a garnishee order, attachment or the like?

- No ► Go to the next question
 Yes ► Please specify details by attachment

59. Have you ever had an article repossessed by a finance company or the like?

- No ► Go to the next question
 Yes ► Please specify details by attachment

Section K - Referees

60. Please supply details of two acceptable referees (*not members of your family*) who can supply references with respect to your reputation, having regard to character, honesty and integrity, and/or business reputation.

Acceptable referees must be able to state that they have:

- known you for a period of not less than three years; and
- examined a primary identification document in your name **or** a secondary identification document in your name and a primary identification document in a former name; and
- commonly know you by that name.

Primary identification documents are:

- birth certificate
- citizenship certificate
- current passport
- expired passport, which has not been cancelled and was current within the preceding two years.

Secondary identification documents are: documents (other than primary identification documents), which establish your identity (for example, driver's licence, mortgage documents, confirmation from employer, credit card passbook).

The referees must be agreeable to be contacted by the Prostitution Licensing Authority and/or a member of the Queensland Police Service.

(i) Referee's name

Address

Occupation

Daytime telephone number

Date of birth

Place of birth

Relationship to you

(ii) Referee's name

Address

Occupation

Daytime telephone number

Date of birth

Place of birth

Relationship to you

Applicant Surname _____

**Approved Manager Certificate
FORM B
ASSOCIATES' DETAILS
(refer to definition)**

**Please use BLOCK LETTERS
Please place an "X" in the boxes, where
appropriate to show your answers**

Section A – Family information

1. What is your current marital status?

- Single Go to question 3
- Partner Specify below
- Married/De facto Specify below
- Divorced/widowed Go to question 2

Date of marriage (if applicable)

Place of marriage (if applicable)

Surname of spouse/de facto/partner

Given name(s) of spouse/de facto/partner

Other name(s) or alias of spouse/de facto/partner

Maiden name of spouse/de facto/partner (if applicable)

Date of birth of spouse/de facto/partner

Place of birth of spouse/de facto/partner

Daytime spouse/defacto no. After hours no.

Current residential address of spouse/
de facto/partner

Postcode

Employer of spouse/de facto/partner

Occupation of spouse/de facto/partner

2. List of current names and addresses of previous spouses. If deceased, indicate accordingly.
(Additional information to be provided by attachment.)

Surname

Given name(s)

Other name(s) or alias

Maiden name (if applicable)

Date of birth

Place of birth

Daytime contact number

After hours number

Current residential address

Postcode

3. Parents: Including a step-parent or any person who was a foster parent or guardian when you were under 18 years of age. Details of deceased persons are respectfully requested.
(Additional information to be provided by attachment.)

Father's surname

Father's given name(s)

Other name(s) or alias

Date of birth

Place of birth

Daytime contact number

After hours number

Current residential address of Father

Postcode

Applicant Surname _____

Occupation

Mother's surname

Mother's given name(s)

Other name(s) or alias and maiden name

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of Mother

Postcode

Occupation

4. List all brothers and sisters including step brothers and sisters and foster siblings 18 years or over. Show relationship of each. (Additional information to be provided by attachment.)

(i) Relationship to you

Surname

Given name(s)

Other name(s) or alias

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of sibling

Postcode

Occupation

Applicant Surname _____

(ii) Relationship to you

Surname

Given name(s)

Other name(s) or alias

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of sibling

Postcode

Occupation

(iii) Relationship to you

Surname

Given name(s)

Other name(s) or alias

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of sibling

Postcode

Occupation

(iv) Relationship to you

Surname

Given name(s)

Other name(s) or alias

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of sibling

Postcode

Occupation

v) Relationship to you

Surname

Given name(s)

Other name(s) or alias

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of sibling

Postcode

Occupation

(vi) Relationship to you

Surname

Given name(s)

Other name(s) or alias

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of sibling

Postcode

Occupation

5. Children: List all children (18 years or older) including step, adopted and any other person for whom you were/are a foster parent or guardian. (Additional information to be provided by attachment.)

(i) Surname

Given name(s)

Other name(s) or alias

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of child

Postcode

Occupation

Applicant Surname _____

(ii) Surname

Given name(s)

Other name(s) or alias

Date of birth

 / /

Place of birth

Daytime contact number

 ()

After hours number

 ()

Current residential address of child

Postcode

Occupation

6. Do any of the persons (mentioned in questions 1-5) hold a licence or a permit under the *Liquor Act 1992*? (Additional information to be provided by attachment.)

No Go to the next question

Yes Please specify details by attachment

Licence/permit holder's name

Date of issue

Place of issue

Authority/organisation

Type of licence/permit

Licence/permit number (if applicable)

Licence expiry date

 / /

Premises name

Premises address

Postcode

7. Have any of the persons (mentioned in questions 1-5), in Australia or elsewhere, been convicted of a disqualifying offence? (A 'disqualifying offence' is explained in the definitions.)

No Go to the next question

Yes Please specify details by attachment

8. Have any of the persons (mentioned in questions 1-5), in Australia or elsewhere, been convicted of a criminal offence other than a disqualifying offence?

No Go to the next question

Yes Please specify details by attachment

9. Have any of the persons (mentioned in questions 1-5), in Australia or elsewhere, been involved with the ownership, administration or management of, or held any financial interest in:

No / Yes

a brothel?

an escort agency?

a brothel and escort agency? or

any other business in connection with prostitution?

➤ If you answered **Yes** to any of the above please specify details by attachment

10. Do any of the persons (mentioned in questions 1-5), in Australia or elsewhere, have any interest, financial or otherwise, in any other company or provided other support to any person, company, business, association or other body involved with the ownership, administration or management of:

No / Yes

a brothel?

an escort agency?

a brothel and escort agency? or

any other business in connection with prostitution?

➤ If you answered **Yes** to any of the above please specify details by attachment

Applicant Surname

11. Have any of the persons (mentioned in questions 1-5) ever, in Australia or elsewhere, carried on business as a licensed provider of prostitution services, including escort agencies?

No Go to the next question

Yes Please specify details by attachment

12. Have any of the persons (mentioned in questions 1-5), in Australia or elsewhere, ever had disciplinary action taken against them as a licensee or certified brothel manager?

No Go to the next question

Yes Please specify details by attachment

Section B – Business associates

13. Do you propose to be in business, either in partnership or otherwise in association, with any other person(s) for the provision of prostitution at the proposed brothel?

No Please proceed to Form C

Yes Go to the next question

14. Provide details of all such members of the partnership or other association. (Additional information to be provided by attachment.)

Business partner/associate 1.

Surname of business partner/associate

Given name(s)

Other name(s) or alias

Title (Mr/Ms/Mrs/Dr/Other) Date of birth
 / /

Place of birth

Daytime contact number After hours number
 () ()

Current residential address (PO Box not acceptable)

 Postcode

Occupation

Business partner/associate 2.

Surname of business partner/associate

Given name(s)

Other name(s) or alias

Title (Mr/Ms/Mrs/Dr/Other) Date of birth
 / /

Place of birth

Daytime contact number After hours number
 () ()

Current residential address (PO Box not acceptable)

 Postcode

Occupation

Business partner/associate 3.

Surname of business partner/associate

Given name(s)

Other name(s) or alias

Title (Mr/Ms/Mrs/Dr/Other) Date of birth
 / /

Place of birth

Daytime contact number After hours number
 () ()

Current residential address (PO Box not acceptable)

 Postcode

Occupation

15. Have any of the persons (listed in question 14) hold a current licence or certificate issued by the Prostitution licensing Authority?

- No Go to the next question
- Yes Please specify details below

Licence number

Certificate number

Licence expiry date

16. Have any of the proposed business partners/ associates (listed in question 14), in Australia or being convicted of a disqualifying offence? (A 'disqualifying' offence is explained in the definitions.)

- No Go to the next question
- Yes Please specify details by attachment

17. Have any of the business partners/associates (mentioned in question 14), in Australia or elsewhere, been involved with the ownership, administration or management of, or held any financial interest in:

	No	Yes
a brothel?	<input type="checkbox"/>	<input type="checkbox"/>
an escort agency?	<input type="checkbox"/>	<input type="checkbox"/>
a brothel and escort agency? or	<input type="checkbox"/>	<input type="checkbox"/>
any other business in connection with prostitution?	<input type="checkbox"/>	<input type="checkbox"/>

➤ If you answered **Yes** to any of the above please specify details by attachment

18. Have any of the business partners/associates (mentioned in question 14) ever, in Australia or elsewhere, carried on business as a licensed provider of prostitution services, including escort agencies?

- No Please proceed to Form C
- Yes Please specify details by attachment

19. Have any of the business partners/associates (mentioned in question 14), in Australia or elsewhere, ever been subject to disciplinary action in relation to operating a brothel?

- No Go to the next question
- Yes Please specify details by attachment

**Approved Managers Certificate
FORM C
PROPOSED BROTHEL DETAILS**

**Please use BLOCK LETTERS
Please place an "X" in the boxes where
appropriate, to show your answers**

1. Have you secured employment at a brothel/s?

- No **Go to the Statutory Declaration**
- Yes Please specify details below

2. What is the name and address of the brothel/s where you intend to work as a manager?

Brothel 1

Postcode

➤ Please provide a letter from licensee, prospective employer, re: intent to employ

Brothel 2

Postcode

➤ Please provide a letter from licensee, prospective employer, re: intent to employ

Provide further information by attachment

3. Have you ever managed a brothel in Australia before?

- No **Go to the Statutory Declaration**
- Yes Please specify details below

1	
2	
3	
4	

Applicant Surname _____

STATUTORY DECLARATION

I,
Full name of the applicant

of
Address of applicant

in the State of Queensland, do solemnly and sincerely declare that the complete contents of the Approved Managers Certificate Application including attachments are true and correct in every particular.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

.....
Signature of person making this declaration

.....
Signature of witness

.....
Declared at (print suburb or town)

.....
Printed name of witness

in the State of Queensland, on

.....
.....

this day of 20

Address of witness

In accordance with the Oaths Act 1867 the following people may witness a Statutory Declaration in Queensland:

- a justice
- a commissioner for declaration or notary public under the law of the State, the Commonwealth or another state
- a lawyer
- a conveyancer or another person authorised to administer the Queensland oath, under the law of the State, the Commonwealth, or another state.

Applicant Surname _____

Further Information about the Prostitution Act 1999

The Prostitution Act 1999 (the Act)

The Act came into effect on 1 July 2000. The Act allows applications for a brothel licence or a certificate as an approved manager. The Act is available in hard copy from SDS Publications for a fee. Alternatively, the Act is available on the internet from the on-line legislation pages of the Queensland Government web site at www.legislation.qld.gov.au.

About the Act

The Act allows a person to apply for and be issued with a licence to operate a brothel (a brothel licence) or a certificate to manage a brothel on behalf of the licensee (certificate as an approved manager). The Act sets up a licensing regime for brothels only.

Laws relating to prostitution by sole operators can be found in the Criminal Code.

Who are the Office of the Prostitution Licensing Authority (PLA)?

The PLA was established to issue brothel licences and certificates to approved managers.

The PLA comprises:

- the Chairperson, who is an independent, respected member of the community nominated by the Premier
- the police commissioner, or their representative
- the crime commissioner, or their representative
- a health practitioner who has at least 5 years' experience in his or her profession
- a lawyer who has knowledge or experience in administrative law, company law or criminal law
- a person who represents local government
- 2 persons who, in the Minister's opinion, are qualified to represent community interests.

Where can I get a licence or certificate application form?

Application forms for a licence and/or certificate are available on the relevant websites or on request from the Office of the PLA. Applicants are advised that the process for receiving, vetting and considering applications may take some time.

What is involved in setting up a brothel?

To set up a brothel and operate it lawfully will require a person to obtain a brothel licence as well as obtaining planning approval from the local government authority for the brothel. Once these two requirements are met, the brothel may be operated in accordance with State and local laws which apply to the brothel, any conditions that attach to the brothel licence and any code of practice for licensed brothels, which may be in operation.

How much will a licence or certificate lodging cost?

Relevant fees are payable upon submitting an application. Further, annual returns and fees also apply.

A schedule of fees is available on our website – www.pla.qld.gov.au or alternatively please contact the Office of the PLA on (07) 3858-9500.

Who must apply for a brothel licence?

Any person who operates a brothel and who will be receiving direct income from a brothel must be licensed under the Act. A sole operator who carries on the business of providing prostitution does not require a brothel licence.

If you propose to operate a brothel in partnership with, or otherwise in association with, any other person, each person must be individually licensed and pay the prescribed fees. For example, a person is considered to operate a brothel in association with another person if the person directly receives income from the brothel.

In this instance applications from partners must be submitted and received by the PLA at the same time. This means that each applicant must complete an application form and pay an application fee. However, only one brothel licence fee is payable.

A schedule of fees is available on our website – www.pla.qld.gov.au or alternatively please contact the Office of the PLA on (07) 3858-9500.

Who must apply for a manager's certificate?

A licensed brothel business must be personally supervised by the licensee or an approved manager at all times that it is open for business. If you wish to work as a brothel manager, you must apply to the Office of the PLA.

Where can I set up a brothel?

Like any other business, the decision as to where a brothel may be located is largely a matter for local authorities. A development approval will not be granted by the local authority if the proposed brothel -

- is in or within 200 metres of the closest point on any boundary of a primarily residential area or an area approved for residential development or intended to be residential in character, measured according to the shortest route a person may reasonably or lawfully take, by vehicle or on foot, between the application land and the other land; or
- is within 200 metres of the closest point on any boundary of land on which there is a residential building, place of worship, hospital, school, kindergarten or any other facility or place regularly frequented by children for recreational or cultural activities, measured according to the shortest route a person may reasonably or lawfully take, by vehicle or on foot, between the application land and the other land; or
- the application land is within 100 metres of the closest point on any boundary of land on which there is a residential building, place of worship, hospital, school, kindergarten, or any other facility or place regularly frequented by children for recreational or cultural activities, measured in a straight line; or
- has more than five rooms, which are to be used for providing prostitution.

Also, it is possible for the local authority of a town with less than 25,000 residents to automatically refuse development applications for brothels, if the local authority has sought and received approval from the relevant Minister.

Number of Service Rooms and Sex Workers at brothels

Brothels are only permitted to operate with a maximum of five rooms and no more. At any one time the number of sex workers on the premises must not total more than:

Number of rooms permitted at licensed brothel under development permit	Number of prostitutes at licensed brothel at any 1 time
1	2
2	3
3	4
4	6
5	8

For example, if you have development approval to operate a 5 room brothel, and you hold a brothel licence for 5 rooms, you must not have more than 8 sex workers at the brothel at the one time. The total number of staff at a brothel must not exceed 13 staff at any one time.

How do I apply for development approval?

If you wish to apply for approval to use a building for a licensed brothel (development permit) you should contact your local authority. The local authority will be able to provide you with information about assessing the development application.

What is the IDAS Code for development applications?

The IDAS Code is the Integrated Development Assessment System which applies for the assessment of a development application under the Sustainable Planning Act 2009 for the making of a material change of the use of premises for a licensed brothel.

What is the purpose of the IDAS code?

The purpose of this code amongst other things, seeks to ensure –

- a licensed brothel is compatible with the form, function and amenity of the area in which it is located; and
- the safety and security of staff of a licensed brothel.

How do I comply with the code?

The code is complied with if each performance criterion in the table on page 13 is complied with for the brothel. A performance criterion is complied with if –

- the acceptable solution to the performance criterion set out in the table opposite the criterion is complied with, or
- the criterion is complied with in another way.

What general information can I get about applications received by the Office of the PLA?

The Office of the PLA cannot disclose any information obtained by them in the administration of the Act unless it is for a lawful purpose. A lawful purpose includes instances such as in a proceeding before a court in which the information is relevant to the issue before the court, in a proceeding under the Act or, with the approval of the PLA, to a person administering a corresponding law.

The Freedom of Information Act 1992 does not apply to a document given to or produced by the Office of the PLA for the Act.

Do I need to have premises before I apply for a brothel licence?

The PLA will not be able to grant you a licence if you have not provided any details regarding the premises. However, the PLA may consider your application regardless of whether or not you have obtained development approval for the proposed brothel premises.

If you have a premises in mind but you have not received development approval, you may still proceed with your brothel licence application. You should, however, provide full details of the proposed premises and advise the Office of the PLA of any changes to your intended premises within 10 days of becoming aware of the changes.

What comes first – the brothel licence or development approval?

You may either obtain development approval from the relevant local authority first or you may decide that both application processes should occur at the same time.

What happens if I receive development approval for the land, approval from the PLA but the premises have not yet been built?

You may ask the Office of the PLA to postpone the issue of the licence to you until the 'happening of an event'. For example, if the premises will not be constructed for another 5 months, you may ask PLA to postpone the issue of the licence for 5 months. If the PLA is satisfied that it is reasonable in the circumstances to postpone the issue of a licence the PLA can postpone giving you the licence for a period decided by the PLA. Should you require a further extension, the PLA may also extend the period of time.

Who is ineligible to apply for a licence or certificate?

The Act sets out a number of categories of persons who are not eligible to obtain a licence or certificate. A brothel licence or manager's certificate will not be issued to -

- a corporation;
- a minor;
- an insolvent under administration;
- anyone who holds a licence or permit under the Liquor Act 1992;
- anyone who has been convicted of a disqualifying offence (described below);
- anyone who has had a licence, certificate or other authority under the Act or under a corresponding law in another State to provide prostitution at a brothel or to manage a brothel cancelled in the last three years;

- anyone who has been declared by the PLA to be ineligible to apply for a licence or certificate.

What is a 'disqualifying offence'?

A 'disqualifying offence' is defined in the Act as an offence or an attempt to commit or to conspire to commit or to counsel or procure a person to commit any of the following:

- Section 250 of the Criminal Proceeds Confiscation Act 2002 (money laundering);
- Section 5 of the Drugs Misuse Act 1986 (Trafficking in dangerous drugs);
- Official corruption;
- Unlawful homicide or attempt to murder;
- Rape or attempt to commit rape;
- Kidnapping;
- Demanding property, benefit or performance of services with threats;
- Offences against morality that relate to a child or an intellectually impaired person;
- Prostitution offences that relate to a child or an intellectually impaired person;
- A provision of Schedule 2 of the Migration Act 1958 (C'with),
- or an offence that, if committed in Queensland, would be a disqualifying offence as described above.

If I am eligible to apply for a licence or a certificate will I get one?

Not necessarily. All applications will be subject to rigorous vetting by the Office of the PLA and the Queensland Police Service. This will include checking the criminal history of the applicant and their family and associates. The Office of the PLA may also seek advice and information on the application from any other entity it considers appropriate, and require the applicant to give further information it considers relevant to the application.

A brothel licence applicant's financial background and the financial viability of the brothel will also be checked.

The Office of the PLA will also consider the business structure for the operation of the brothel, which will include the identification of all associates (individuals or bodies corporate).

Applicants for a brothel licence will also be required to submit a business and operational plan together with the application, which must include arrangements to ensure the safety of persons directly involved in providing prostitution and any other arrangements necessary to comply with the Act.

The applicant must consent to having their palm prints, fingerprints, handwriting, voiceprints or footprints taken by the Office of the PLA or Queensland Police Service as well as photographs of the person's identifying features.

Should the applicant refuse to allow their identifying particulars to be taken, the PLA must refuse to consider the application. Should the applicant fail to give any further information required by the Office of the PLA, the applicant is taken to have withdrawn the application.

Before approving a licence or certificate, the PLA must be satisfied that the applicant is a suitable person to hold a licence or certificate. In making that decision, the PLA must consider all relevant matters. In the case of an applicant for a licence, the matters to be considered include -

- the applicant's reputation, having regard to character, honesty and integrity;
- whether the applicant has been convicted of an indictable offence, an offence against the Act or an offence against a similar law in another jurisdiction;
- whether the applicant has been convicted of an offence, the circumstances of which constitute the running of a brothel;
- whether the applicant has been charged with any offence of a sexual nature that involves violence, intimidation, threats or children;
- whether the applicant has the financial resources to ensure the financial viability of the brothel;
- whether the applicant has arrangements in place to ensure the safety of workers on the premises;
- that the business structure for the operation of the brothel is sufficiently transparent to enable all associates of the applicant to be readily identified;
- whether the applicant is an associate of a person who has been convicted of a disqualifying offence or an indictable offence;
- whether the applicant is an associate of a person who holds a licence or permit under the Liquor Act.

In the case of an applicant for a manager's certificate, the matters to be considered by the PLA include -

- the applicant's reputation, having regard to character, honesty and integrity;
- whether the applicant has been convicted of an indictable offence, an offence against the Act or an offence against a similar law in another jurisdiction;

- whether the applicant has been convicted of an offence, the circumstances of which constitute the running of a brothel;
- whether the applicant is an associate of a person who has been convicted of a disqualifying offence or an indictable offence;
- whether the applicant has been charged with any offence of a sexual nature that involves violence, intimidation, threats or children.

If an applicant for a licence or certificate becomes aware of any change in the information contained in the application, they must, within 10 days after becoming aware of the change, give particulars of the change to the Office of the PLA by signed notice.

Finally, before the PLA can grant a licence it must consider whether the combined total of licensed brothels and adult entertainment permits in the proposed area for the brothel would substantially affect the character of the locality. An example of character of locality being substantially affected is the area becoming a 'red light district'.

Who can assist me in developing a business or operational plan?

This is a matter for you to decide. You should seek professional advice.

What happens when the PLA considers my application?

The PLA may either-

- grant the licence or certificate with or without conditions or restrictions; or
- refuse to grant the licence or certificate.

The applicant may ask the PLA to postpone the issue of a licence or certificate until the 'happening of an event'. For example, development approval for the brothel is issued; construction of the premises to operate as a brothel is completed or until the brothel commences operation.

A licence authorises a person to operate a brothel at one premises only. Prostitution may only take place at the premises stated in the licence. In other words, no outcalls from the brothel.

What happens if I withdraw my application or the PLA rejects my application?

If you withdraw your application at any time before the licence or certificate is issued, or the PLA rejects your application, the Office of the PLA must refund the licence or certificate fee.

How long is the licence or certificate valid?

Once a person is granted a licence or certificate their licence or certificate will be valid for 3 years from the date of issue unless it is suspended, cancelled or surrendered.

Annual returns and fees

The holder of an approved manager's certificate or brothel licence must give the PLA an annual return, in the approved form, about the information given for the application for the certificate or licence and pay the relevant annual fees on or before the anniversary day (the date in each year that is the anniversary of the grant of the certificate or licence).

A schedule of fees is available on our website – www.pla.qld.gov.au or alternatively please contact the Office of the PLA on telephone (07) 3858-9500.

Who can use the licence?

A licence -

- is personal to the licensee; and
- is not transferable to any other person; and
- does not vest by operation of law in any other person; and
- is subject to any conditions or restrictions set out in the licence or prescribed under a regulation.

In other words, you cannot transfer your licence to anyone else or allow another person to use your licence. Only the person whose name and photograph appears on the licence (the licensee) can use it.

Personal supervision of a licensed brothel

Whenever a licensed brothel is open for business, either the licensee or an approved manager must personally supervise the brothel at all times. Should a licensee or approved manager not be in attendance at the brothel, both the licensee and the approved manager (whose duty it was to personally supervise the business at the time) commit an offence.

When can a manager act as a licensee?

If a licensee dies or becomes incapable of discharging the duties of a licensee because of physical or mental incapacity, the approved manager may apply to the PLA for authorisation to act as the licensee of the brothel specified in the licence.

Should the PLA authorise this, the licence will be endorsed to show that the approved manager is acting as licensee for the period endorsed on the licence. The approved manager is then subject to the obligations of a licensee under the Act.

I have a conviction for prostitution. Can I still get a licence or certificate?

A conviction for prostitution alone does not preclude a person from obtaining a licence or certificate.

However, the PLA must refuse to grant a licence if it is satisfied that the applicant -

- is not a suitable person to operate a licensed brothel;
- has an interest in another licensed brothel; or
- holds a licence or permit under the Liquor Act 1992.

In the case of an application for a manager's certificate, the PLA must refuse to grant a certificate if it is satisfied that the applicant -

- is not a suitable person to be an approved manager of a licensed brothel;
- has an interest in another licensed brothel otherwise than as an approved manager of the other brothel.

Can I advertise prostitution services?

Yes, but the Act places restrictions on the nature of advertising allowed for prostitution services. All advertising must be in an approved form. The PLA has published *Guidelines about the Approved Form for Advertisements for Prostitution*, which may be downloaded from the PLA website.

In addition to being in the approved form, any advertising for prostitution must not -

- state, directly or indirectly, that the person's business provides or is connected with massage services;
- describe the services offered;
- be published through radio or television or by film or video recording;
- intend or be likely to induce a person to seek employment as a prostitute.

Prostitution Regulation 2014

The Prostitution Regulation 2014 contains some additional requirements for brothel licensees, and should be read in conjunction with the Act. The Prostitution Regulation 2014 is also available on the internet from the on-line legislation pages of the Queensland Government web site at www.legislation.qld.gov.au.

What are the licensee's duties about alarms, lights and signs?

A licensee of a brothel must ensure –

- each room in the brothel has a concealed alarm button, or equivalent communication device, that is in working order; and
- each room in the brothel has enough lighting to enable the sex workers to check clients for clearly visible signs of sexually transmissible disease; and
- a sign is prominently displayed in the brothel's reception area stating 'only safe sexual activities are practised on these premises'.

Licence and certificate register

The Act requires that a register be kept which records the following particulars:

- the name of each holder of a licence or certificate;
- the granting, renewal, surrender, suspension or cancellation of a licence or certificate;
- the address of the premises at which the holder of a licence may operate the brothel under the licence;
- the addresses of the licensed brothels for which the holder of a certificate is authorised to be an approved manager;
- all entries into licensed brothels by police officers.

The register may be inspected at the Office of the PLA during office hours, and a copy of an entry in the register can be obtained on payment of the relevant fee.

A schedule of fees is available on our website – www.pla.qld.gov.au or alternatively please contact the Office of the PLA on (07) 3858-9500.

Additional information

For further information regarding development approval you may either contact your local authority or Local Government Authority of Queensland (LGAQ) on (07) 3000 2222 or visit their website www.lgaq.qld.gov.au.

For further information regarding the application forms for a brothel licence or approved manager's certificate or advertising matters contact the Office of the PLA on (07) 3858 9500, or e-mail: plaadmin@iprimus.com.au.

For more information regarding the Prostitution Act 1999 or the Prostitution Regulation 2014 visit the Government Legislation web site: www.legislation.qld.gov.au. or obtain a copy from SDS Publications.

IDAS CODE

PERFORMANCE CRITERION	AN ACCEPTABLE SOLUTION
Car parking for clients Adequate car parking is provided, or available, for brothel clients.	Provide 1 car parking space on the brothel premises for each room in the brothel.
Car parking for staff Adequate secure car parking is provided, or available, for brothel staff.	Provide 1 car parking space on the brothel premises that is well lit and directly accessible to an entrance to the brothel, for each 2 brothel staff members at the brothel at any 1 time.
Vehicular access The brothel is safely accessed by vehicular traffic.	Locate vehicular ingress and egress to allow- <ul style="list-style-type: none"> • vehicles to enter and exit the premises in forward gear; and • if the brothel shares road access, parking areas or pedestrian areas with land used for other purposes – parking, vehicle manoeuvring and pedestrian movement for the brothel to be undertaken without adversely affecting the safety of traffic using the land.
Lighting External lighting for the brothel is designed to ensure the safety and security of brothel staff and clients without adversely affecting the amenity of adjoining premises.	Provide external lighting for the brothel that - <ul style="list-style-type: none"> • is static; and • has no characteristic indicating the premises are used for a brothel; and • facilitates surveillance; and • is hooded and directed downwards.
Sign Sign for the brothel is compatible with the amenity of the locality.	Comply with each of the following requirements - <ul style="list-style-type: none"> • only 1 sign is displayed for the brothel; • the surface area of the sign is not more than 1m²; • the sign displays only the name of the licensee and the registered business name of the brothel; • the sign does not display words or images that are sexually explicit, lewd or otherwise offensive; • the sign is affixed to the brothel.
Loitering The design of the brothel discourages loitering outside the premises.	Provide a reception or waiting area at the brothel for use by brothel clients.
Appearance The brothel premises are unobtrusive in appearance.	Ensure the colours and materials for the brothel premises are unobtrusive.
Entrances – security The staff and clients of the brothel are provided with a secure environment within the brothel premises in the vicinity of each staff or client entrance to the brothel.	Locate the staff and client entrances to the brothel in positions that facilitate surveillance.
Entrance – clients The clients' entrance to the brothel is clearly identified.	Ensure the entrance to the brothel makes it clear to clients which premises to enter.
Brothel siting and design The brothel premises are sited and designed in a way that is compatible with the character or intended character of the locality.	Comply with the requirements about the character of the locality under a planning instrument, including boundary setback, building height and bulk, and landscaping.
Infrastructure The brothel premises are adequately serviced by infrastructure.	Comply with the requirements for infrastructure under a planning instrument applying to the locality, including the requirements to connect to sewerage and water.

Disclaimer - This document is intended to be a guide only. It is not intended to be a comprehensive description of the provisions of the Act. Instead, it is intended as a brief guide to some of the most frequently asked questions about the Act. As such, no responsibility is accepted for any loss or damage arising from action taken in reliance on the contents of this document. Any person contemplating action pursuant to the Act should first obtain a thorough knowledge of all aspects of the Act. It is strongly recommended that independent legal advice should be sought before taking any action.

Definitions used in association with the *Prostitution Act 1999*

Useful Definitions

The following definitions are provided for your reference only. Full definitions are available under the Act.

"associate" means any person who-

- (a) is a member of the individual's family; or
- (b) has entered into a business arrangement or relationship with the individual for the provision of prostitution; or
- (c) is the owner or lessor, either alone or jointly, of premises used or proposed to be used for the provision of prostitution under licence; and
- (d) includes an **"associate"** of a body corporate if the person is an executive officer of the body corporate.

"brothel" means premises made available for prostitution by 2 or more prostitutes at the premises.

"corporation" includes a body corporate or politic.

"corresponding law" means a law of another State corresponding to this Act.

"development permit" means a development permit granted under the *Sustainable Planning Act 2009*.

"disqualifying offence"

- money laundering under section 250 of the *Criminal Proceeds Confiscation Act 2002*
- trafficking in dangerous drugs under section 5 of the *Drugs Misuse Act 1986*
- the Criminal Code offences of Official corruption; official corruption not judicial but relating to offences; unlawful homicide; attempt to murder; rape; attempt to commit rape; kidnapping; kidnapping for ransom; demanding property; benefit or performance of services with threats; an offence against morality in chapter 22 if the offence relates to a child or

intellectually impaired person; or a prostitution offence in chapter 22A if the offence relates to a child or intellectually impaired person.

- Migration offences under Schedule 2 of the *Migration Act 1958 (C'wlth)*.

"exempt prostitution service provider" section 23 of the *Prostitution Control Act 1994 (VIC)* provides that certain persons who carry on a prostitution service providing business are exempt from the requirement to be licensed.

"family" of an individual, consists of the following members-

- (a) the individual's spouse;
- (b) each of the individual's children who is 18 years or more, including a stepchild, an adopted child and a person for whom the individual was foster-parent or guardian when the person was a child;
- (c) each of the individual's parents, including a step-parent, and a person who was a foster-parent or guardian for the individual when the individual was a child;
- (d) each of the individual's siblings who is 18 years or more, including a step-sibling and a person who was a foster-sibling when the individual was a child.

"indictable offence" Crimes and misdemeanours are indictable offences. An indictable offence is a more serious offence that is usually decided in the District of Supreme Court. Examples include murder, rape, robbery, assault and break and enter.

"interest in a brothel" a person has an "interest in a brothel" if the person-

- (a) is the licensee of the brothel; or

- (b) is a member of the family of the licensee of the brothel; or
- (c) is an approved manager of the brothel; or
- (d) is a member of the family of an approved manager of the brothel; or
- (e) is the owner, either alone or jointly, of premises used by the licensee of the brothel for the provision of prostitution; or
- (f) is a member of the family of an owner mentioned in paragraph (e); or
- (g) is the lessor of the premises used by the licensee of the brothel for the provision of prostitution; or
- (h) is a member of the family of a lessor mentioned in paragraph (g); or
- (i) has entered into a business arrangement or relationship with another person for the provision of prostitution at the brothel; or
- (j) directly receives income from the provision of prostitution at the brothel; or
- (k) is able to exercise a significant influence over the operations of, or in relation to the provision of prostitution at, the brothel; or
- (l) is an executive officer of a body corporate that is a person mentioned in paragraphs (e), (g), (i), (j) or (k)
- (m) for (1)(i), (j) and (k), a prostitute does not have an interest in a brothel merely because the prostitute is entitled by way of remuneration to a proportion of the payments made for the provision of prostitution by the prostitute at the brothel.
- (n) If a financial institution is a mortgagee of premises used by the licensee of a brothel for the provision of prostitution, the institution does not have an **"interest in a brothel"** only because the institution is a mortgagee of the premises.

"minor" a person under the age of 18

"operate" a brothel means to carry on the business of providing prostitution at the brothel.

"partnership" is the -

- state or condition of being a partner; participation; association; joint interest.
- relation subsisting between partners.

"prostitution"

(1) a person engages in "prostitution" if the person engages, or offers to engage, in the provision to another person, under an arrangement of a commercial character, of any of the following activities -

- (a) sexual intercourse;
- (b) masturbation;
- (c) oral sex;
- (d) any activity, other than sexual intercourse, masturbation or oral sex, that involves the use of 1 person by another for his or her sexual satisfaction involving physical contact.

(2) However, a person does not engage in prostitution if –

- (a) the activity is an activity mentioned in subsection (1)(d); and
- (b) the person is providing adult entertainment under an adult entertainment permit and is an adult and is not an intellectually impaired person; and
- (c) the activity is authorised under the permit.

(3) Subsection (1) applies equally to males and females.

"trustee" a person -

- (a) or one of a body of person's, appointed to administer the affairs of a company, institution etc.
- (b) who holds the title to property for the benefit of another.

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COLLECTION AND PROTECTION OF CONFIDENTIAL INFORMATION

Information is collected from licence and certificate applicants to determine their ongoing eligibility and suitability for a brothel licence or manager's certificate and to support decisions by the Prostitution Licensing Authority to grant or refuse licences and certificates.

Applicants supply detailed information through application forms about their personal, business and financial arrangements, their criminal histories and prior involvement in prostitution, their employment history, and their associates as defined by *the Prostitution Act 1999*. In addition to information sought through application forms, some information is sought from other agencies and financial institutions. Once an individual has made an application to the Office of the Prostitution Licensing Authority, records of contact between Prostitution Licensing Authority staff and the applicant may also be kept.

Access to records containing applicant personal information is granted to the staff of the Office of the Prostitution Licensing Authority. The Office of the Information Commissioner, the Crime and Misconduct Commission and the Ombudsman may have access to Prostitution Licensing Authority records containing personal information in the course of their official duties.

All information collected by the Office of the Prostitution Licensing Authority in application forms is made available to the Queensland Police Service pursuant to sections 14 and 39 of the *Prostitution Act 1999*. The names and dates of birth of applicants and their associates are disclosed to the Liquor Licensing Division and to the Business Licensing Authority (Victoria) for relevant checks. The names of all companies with which applicants are associated are disclosed to the Office of Fair Trading and the Australian Securities and Investments Commission in the course of inquiries.

Personal information about applicants is kept in both paper and electronic formats. Applicant's personal information is retained in locked filing cabinets at the Office of the Prostitution Licensing Authority and will be retained in accordance with the requirements of the *Libraries and Archives Act 1988*. Electronic information is retained in a password-protected environment.

If an individual believes that their personal information has not been dealt with appropriately, they may make a complaint to the Prostitution Licensing Authority. A complaint must be made in writing within six months from the date when the breach was suspected to have occurred. Written complaints should be sent to the Office of the Prostitution Licensing Authority:

The Privacy Officer
The Office of the Prostitution Licensing Authority
GPO Box 3196
BRISBANE QLD 4001