

## GUIDELINES ABOUT THE APPROVED FORM FOR ADVERTISEMENTS FOR PROSTITUTION

These guidelines are issued by the Prostitution Licensing Authority under s. 139A of the *Prostitution Act 1999*.

### 1. Legislative references

1.1 *Prostitution Act 1999*, ss. 92, 93, 94, 95, 96, 139A.

1.2 *Prostitution Regulation 2014*, s. 15.

### 2. Approved form of advertisements for prostitution in Queensland

2.1 A person must not publish an advertisement for prostitution that is not in the approved form.

2.2 An approved form is an advertisement that complies with the requirements outlined in these guidelines, including where relevant:

- Complying with advertising mediums
- Complying with permitted size of advertisements
- Complying with wording permitted to be used in advertising material
- Complying with permitted images used in advertising material
- Complying with the specific requirements in place for sole operator sex workers and licenced brothels
- Complying with requirements for advertising on the internet.

2.3 **Publish an advertisement** or statement means publish, or cause to be published, in any way including by newspaper, periodical, notice, sign or circular or through radio or television or by film or video recording or on the internet or social media, even if:

- the act done to publish the advertisement in Queensland is done outside Queensland
- the advertisement is published on an internet site located outside Queensland.

### 3. Prohibited advertising mediums

3.1 A person must not publish an advertisement for prostitution:

- through radio or television
- by film or video recording
- by sticker

### 4. Permitted size of advertisements

4.1 Other than for an advertisement on the internet or an advertisement inside premises used for prostitution that cannot be viewed by a person outside the premises, the total surface area of the advertisement is not to be larger than 54cm<sup>2</sup>, except:

- an advertisement in the yellow pages is not to be larger than 253mm in length and 215mm in width.
- a business card is not to be larger than 90mm in length and 55mm in width.

## **5. Prohibited advertising**

- 5.1 An advertisement for prostitution must not describe the services offered. This includes an acronym for a service (e.g. BJ, B&D) or a euphemism for a service (e.g. Greek).
- 5.2 Words that do not directly describe the services offered may be used. For example: “fetish”, “fantasy”, “role play”, “hard core”, and “girlfriend experience”.
- 5.3 A person must not publish a statement intended or likely to induce a person to seek employment as a sex worker. For example, a licensed brothel advertisement for a ‘hostess’.
- 5.4 An advertisement for prostitution must not state or imply that unsafe sex (i.e. sexual intercourse or oral sex without a prophylactic) will be provided. For example, sexual references to “natural”, “bareback”, “basic”, “skin to skin”.
- 5.5 An advertisement for prostitution must not state or imply that sex workers are under the age of 18 years or are virgins.
- 5.6 The words “young”, “student”, “girl” or “boy” may be used but the advertisement must explicitly state that the sex worker is at least 18 years of age. For example, 22-year-old student or 18+ girl.
- 5.7 The following words must not be used: “fresh”, “beginner” and “never been touched”.
- 5.8 A person providing prostitution must not hold out or publish an advertisement that states, directly or indirectly, that the person’s business provides or is connected with massage services. Business of a person means the business of a licensed brothel or of a sole operator sex worker.
- 5.9 The following words may be used: “sensual touch”, “intimate touch”, or “exotic relaxation”.
- 5.10 An advertisement for prostitution must not advertise another business or an event, without the written consent of the person conducting the business or event. For example, an advertisement which includes the offer of a discount voucher for a shop.
- 5.11 An advertisement for prostitution associated with sponsorship of an event or organisation is not permitted.
- 5.12 An advertisement for prostitution must not refer to a game of chance or trade promotion offering sexual services. For example, a draw which includes the provision of prostitution as a prize.

## **6. Prohibited images**

- 6.1 A person must not publish an advertisement for prostitution containing a photograph or image of:
- the sexual organs or anus of a person
  - a sexual act or a simulated sexual act

- a child or of an adult intended to be given the appearance of a child
- an animal.

#### 6.2 Sexual organs mean:

- for a female - the vagina and the mons veneris
- for a male - the penis, scrotum, testicles and mons pubis.

### 7. Specific requirements for sole operator sex workers

- 7.1 An advertisement for prostitution by a sole operator sex worker must not state or imply that more than one sex worker may be available.
- 7.2 A sole operator sex worker may advertise that they are working at a specific licensed brothel but if the advertisement includes a telephone number it must only be the telephone number for the licensed brothel.

### 8. Specific requirements for licensed brothels

- 8.1 An advertisement for a licensed brothel must state the business name of the licensed brothel, as it appears on the brothel licence.
- 8.2 An advertisement for a licensed brothel must not:
- contain a telephone number that has not been notified to the Prostitution Licensing Authority
  - state or imply that the brothel is associated with escort services
  - state or imply that more sex workers are available than permitted
  - contain a discount unless it explicitly states that the discount is in respect of room hire only.
- 8.3 Licensed brothel signage is regulated by local government under the assessment benchmarks for the *Planning Act 2016*. Refer to s. 25 and Schedule 3 (Code setting out assessment benchmarks) of the Prostitution Regulation. Contact your local council for further information.

### 9. Specific requirements for brothels or sex workers in other states and territories

- 9.1 An advertisement for prostitution published in Queensland by a brothel or a sex worker in another state or territory must be in the approved form.
- 9.2 An advertisement for a brothel must state the name of the brothel.
- 9.3 An advertisement for a brothel must not state or imply that the brothel is associated with escort services.
- 9.4 An advertisement for a sex worker must not state or imply that more than one sex worker may be available.

### 10. Specific requirements for advertisements on the internet

- 10.1 An advertisement for prostitution on the internet must not link the advertisement with, or otherwise permit access to, a website other than:

- the website of the Prostitution Licensing Authority, the Queensland Adult Business Association, Respect Inc or the yellow pages.
- a website that is also an advertisement for prostitution, that is in the approved form.

10.2 A website that is an advertisement for prostitution (e.g. a website for a licensed brothel or a website for a sole operator sex worker or a website directory for sex work) must be in the approved form and must indicate that it is restricted to persons who are 18 years or over.

## **11. Penalties for not complying with the guidelines**

11.1 There are a number of prostitution advertising offences under the Prostitution Act, which may result in court proceedings or the issue of a penalty infringement notice (PIN), including:

- publishing an advertisement that is not in the approved form (s. 93(2))
- publishing an advertisement that describes the services offered (s. 93(1))
- publishing an advertisement through radio or television or by film or video recording (s. 93(3))
- publishing a statement intended or likely to induce a person to seek employment as a sex worker (s. 94)
- holding out or publishing an advertisement that states, directly or indirectly, that the person's business provides or is connected with massage services (s. 95(1)).

## **12. Availability of the guidelines**

12.1 The guidelines are available from the Prostitution Licensing Authority website: [www.pla.qld.gov.au](http://www.pla.qld.gov.au).

## **13. Examples of advertisements for prostitution that are in the approved form**

13.1 Blonde, buxom stunner to seduce and indulge you. Explore your naughty fantasies with me. Very open-minded. Kangaroo Point, in/outcalls. Phone [mobile number].

13.2 Sexy 22-year-old Asian babe, for that girlfriend experience you've been craving. Phone [mobile number].

13.3 Bi, experienced, mature male for men and women. Satisfaction guaranteed. Once won't be enough. Phone [mobile number].

13.4 Masculine, defined, smooth, fit, handsome 25-year-old tradie, with a killer smile. Come play with me. Men only. Outcalls only, Brisbane northside. Phone [mobile number].

13.5 Gorgeous, stunning transsexual, 34DD breasts, active and passive. Waiting for you now. Call me on [mobile number] to find out what I can offer.