

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



Prostitution Licensing Authority

APPROVED MANAGER'S CERTIFICATE APPLICATION

Contains

1. Brief to Applicants
2. Instructions for completion
3. Authority for Release of Information
4. Photograph Identification Form
5. Personal Details, Associates' Details and Brothel Details
6. Declaration
7. Definitions
8. Collection and Protection of Confidential Information

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. 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. 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.
11. Please enclose all relevant fees with the application form. Any application form received **without** the correct fees will be **returned** to sender.
12. 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

..... / /
Date

Applicant Surname _____

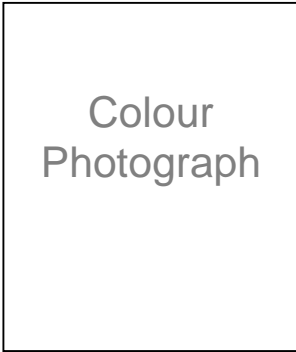
PHOTOGRAPH IDENTIFICATION FORM

I, _____
Full name of the applicant

hereby declare:

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

Note: Passport size photograph is to be attached by paperclip only. DO NOT use glue, staples or sticky tape to attach the photograph.



Date of Photograph:

Photograph attached and this form signed
at _____
this _____ day of _____ 20_____

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 and date.

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Approved Manager Certificate

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 (Mr/Ms/Mrs/Miss/Dr/Other)

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 / Other

Place of birth

.....	
City / Town	State / Territory
.....	
Country	

➤ Please attach a certified copy of your birth certificate.

4. Current residential address
(PO Box not acceptable)

 Postcode

Daytime contact number

 ()

After hours number

 ()

Fax number

 ()

Mobile phone number

E-mail address

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

Postcode

5. Occupation

Employer

Employer's daytime phone

 ()

6. 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

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

Date of naturalisation

 / /

Place of naturalisation

Certificate number

8. 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 and attach a certified copy of your current passport.

If you have more than two passports, please provide additional information and certified copies of your passports by attachment

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

Applicant Surname

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

Section B – Offences and Debt Recovery

- 10. Have you in Australia or elsewhere been the subject of debt recovery action?
 - No Go to the next question.
 - Yes Please specify details by attachment.
- 11. Have you, in Australia or elsewhere, been charged or convicted of a criminal offence whether or not a conviction was recorded?
 - No Go to the next question.
 - Yes Please specify details (date, type of offence, State / Territory) by attachment.
- 12. Have you in Australia or elsewhere been the subject of a disqualified, cancelled or suspended driver's licence?
 - No Go to the next question
 - Yes Please specify details
- 13. Have you ever in Australia or elsewhere, been the subject of a Domestic Violence Order?
 - No Go to the next question.
 - Yes Please specify details by attachment.

Section C – Company/Business

- 14. Do you have an interest in any private company(s)?
 - No Go to question 18.
 - Yes Please specify details below.

Company name as currently incorporated

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

- Additional companies' information to be provided by attachment.
- 15. Provide details by attachment of the position you hold with regard to the company mentioned in question 14.
- 16. Has any company mentioned in question 14 had any civil proceedings against it and/or is there any significant litigation currently in progress or pending?
 - No Go to the next question
 - Yes Please specify details by attachment.
- 17. Has any company mentioned in question 14, any holding company or other related body corporate, been associated with:

	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 you ever provided any financial assistance or other support to any of the following?

- | | 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

Section D – Business associates

19. 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 Go to the next question
Yes Go to the next question

Provide details of all such members of the partnership or other association by attachment.

Section E – Involvement in prostitution

20. Do you currently have an interest financial or otherwise in any licensed brothel in Australia? (Interest in a brothel is explained in the definitions, excluding wages as a manager or receptionist.)

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

21. 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

22. 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

23. 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

24. Are you currently 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

25. 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 or
- applied to carry on a business to provide prostitution at a brothel or to manage a brothel and been refused or had a certificate or licence in connection with prostitution cancelled?

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

26. 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.

Section F - Licences/certificates/ Approvals

27. Have you applied for or been issued with a Liquor Licence or permit or certificate under the *Liquor Act 1992*?

- No Go to the next question
Yes Please specify details and attach a certified copy of your licence or permit or certificate.

28. Are you currently a nominee in respect of 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 and attach a certified copy of your licence or permit or certificate.

29. Do you have a current First Aid Certificate including Cardiopulmonary Resuscitation (CPR) certification?

- No Go to the next question
Yes Please attach certified photocopies of current First Aid Certificate including Cardiopulmonary Resuscitation (CPR) certification

Section G - Referees

30. Please supply details of two 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.

The referees must be agreeable to be contacted by the Prostitution Licensing Authority and the Queensland Police Service.(i) Referee's name

Address

Postcode

Occupation

Daytime telephone and mobile number

Date of birth

Gender (circle)

Male / Female/Other

Relationship to you

(ii) Referee's name

Address

Postcode

Occupation

Daytime telephone and mobile number

Date of birth

Gender (circle)

Male / Female/Other

Relationship to you

Section H - Residences

31. List all addresses at which you have been a permanent resident over the last two years beginning with your current address and working backwards. Show the approximate periods at each residence (please provide any additional information by attachment).

Year (from – to)	Street name and number	Suburb/city	State	Postcode	Country

Section I - Employment

32. List details of all employment for the past two years (please provide additional information by attachment).

Name of employer	Position title you held	Date of commencement	Date of cessation

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ASSOCIATES' DETAILS
(refer to definition)

Section J – Family information

33. What is your current marital status?

- Single Go to the next question
- Married/De Facto Specify below
- Partner Specify below
- Divorced/widowed Go to the next question

Date of marriage (if applicable)

/ /

Surname of spouse/de facto/partner/Ex-spouse/Ex-de-facto

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

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

Maiden name of spouse/de facto/partner//Ex-spouse/Ex-de-facto

Date of birth of spouse/de facto/partner

/ /

Current residential address of spouse/de facto/partner

Postcode

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

Father's surname

Father's given name(s)

Other name(s) or alias

Date of birth

/ /

Current residential address of Father

Postcode

Mother's surname

Mother's given name(s)

Other name(s) or alias and maiden name

Date of birth

/ /

Gender (circle)

Male / Female/Other

Current residential address of Mother

Postcode

35. 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.)

Relationship to you

Surname

Given name(s)

Other name(s) or alias

Date of birth

/ /

36. 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.)

Surname

Given name(s)

Other name(s) or alias

Date of birth

/ /

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Section K – Proposed brothel details

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

No **Go to the Declaration**

Yes Please specify details below

38. 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

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

No **Go to the Declaration**

Yes Please specify details below

1	
2	
3	
4	

Applicant Surname _____

DECLARATION

I declare that:

- The statements made in this application, as well as any attachments, are true and correct;
- If before this application is decided, I become aware of a change in the information given, I will give the Authority written notification of the particulars of the change, within 10 days of becoming aware of the change.

Signature

Name:

Date:

Please note:

Sec. 36 of the Prostitution Act - Updating of application

(1) This section applies if, before a certificate application is decided, the applicant becomes aware of a change in the information given at any time by the applicant for the application.

(2) The applicant must, within 10 days after becoming aware of the change, give particulars of the change to the Authority by signed notice.

Maximum penalty for subsection (2)—60 penalty units.

Sec. 97 of the Prostitution Act - False or misleading statements

A person must not, in connection with this Act, state anything to the Authority that the person knows is false or misleading in a material particular.

Maximum penalty—100 penalty units.

Sec. 98 of the Prostitution Act - False or misleading documents

A person must not, in connection with this Act, give to the Authority a document containing information the person knows is false or misleading in a material particular.

Maximum penalty—100 penalty units.

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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 *Planning Act 2016*.

"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 *Sex Work 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 or 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

Applicant Surname _____

- (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.

Disclaimer - This document is intended to be a guide only and it is not intended to take the place of either the written law or regulations. It is only intended to be a general summary of information to you. 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.

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 Corruption 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.

The *Information Privacy Act 2009* provides for the protection of personal information collected and held by Queensland Government Agencies. It is designed to protect all forms of personal information from being lost, misused or inappropriately modified or disclosed. Under the Information Privacy Act, the PLA must comply with Information Privacy Principles which govern how information is collected, stored used and disclosed.

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. 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