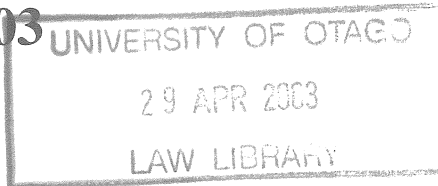


House of Representatives
Supplementary Order Paper

Tuesday, 29 April 2003

Prostitution Reform Bill



Proposed amendments

Gordon Copeland, in Committee, to move the following amendment:

Heading above clause 6C and clauses 6C and 6D

To omit *clauses 6C and 6D*, and the heading above those clauses (lines 4 to 27 on page 9), and substitute the following heading and clause:

Prohibition on advertising of commercial sexual services

6C Advertising of commercial sexual services

- (1) Every person who, without reasonable excuse, publishes, or arranges for any other person to publish, any advertisement in New Zealand for commercial sexual services commits an offence and is liable,—
 - (a) in the case of a body corporate, to a fine not exceeding \$50,000; or
 - (b) in any other case, to a fine not exceeding \$10,000.
- (2) Nothing in **subsection (1)** applies to any advertisement included in any book, magazine, or newspaper printed outside New Zealand, or in any radio or television transmission originating outside New Zealand, or in any film or video recording made outside New Zealand, or in any other medium originating outside New Zealand, unless the principal purpose of the book, magazine, newspaper, transmission, film, video recording, or other medium is the promotion of commercial sexual services and either—
 - (a) the book, magazine, newspaper, film, or video recording is intended for sale, distribution, or exhibition primarily in New Zealand; or
 - (b) in the case of an advertisement in any radio or television transmission or other medium, the advertisement is targeted primarily at a New Zealand audience.

- (3) Nothing in **subsection (1)** applies to—
- (a) any exhibition in any museum or art gallery:
 - (b) any publication or programme of a bona fide documentary or research nature:
 - (c) the dissemination, broadcasting, or exhibition of any film, video recording, or sound recording that was made before the date of commencement of this Act.
- (4) For the purpose of this section, **advertisement** means any words, whether written, printed, or spoken, including on film, video recording, or other medium, broadcast, telecast, or otherwise, and any pictorial or other representation, design, or device, used to encourage the use or notify the availability or promote the sale of commercial sexual services, however described.

Explanatory note

This Supplementary Order Paper provides for a prohibition on the advertising in New Zealand of commercial sexual services. The Bill presently provides for bylaws to prohibit and regulate offensive signage advertising such services. The Supplementary Order Paper will replace those controls with a prohibition on such advertising across all media. This will reinforce one of the objectives of the Bill, which is not intended to encourage a flourishing of prostitution in New Zealand.

Clauses 6C and 6D are replaced with a new clause which provides for fines to be imposed on anyone who, without reasonable excuse, publishes or arranges for any other person to publish any advertisement in New Zealand for commercial sexual services. This prohibition, which is modelled on sections 2, 22 and 36(1) of the Smoke-free Environments Act 1990 relating to tobacco products, is subject to certain exceptions, including with respect to advertisements that originate outside New Zealand and are not targeted primarily at New Zealand.
