

CRIMES AMENDMENT (ANIMAL SEXUAL ABUSE) BILL 2024

No. 1 **GOVT No. 1 [c2025-173N]**

Page 2, clause 2, lines 4 and 5. Omit all words on the lines. Insert instead—

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

No. 2 **GOVT No. 2 [c2025-173N]**

Page 3, Schedule 1[2], line 7. Omit all words on the line. Insert instead—

Omit “**against adults and children**”.

No. 3 **GOVT No. 3 [c2025-173N]**

Page 3, Schedule 1[3], proposed section 79AA, definition of *animal sexual abuse*, paragraph (a), lines 28–37. Omit all words on the lines. Insert instead “anus of a person, but”.

No. 4 **GOVT No. 4 [c2025-173N]**

Pages 3 and 4, Schedule 1[3], proposed section 79AA, definition of *animal sexual abuse*, paragraph (b), line 38 on page 3 to line 4 on page 4. Omit all words on the lines. Insert instead—

(b) does not include an excluded act.

No. 5 **GOVT No. 5 [c2025-173N]**

Page 4, Schedule 1[3], proposed section 79AA, line 5. Omit all words on the line.

No. 6 **GOVT No. 6 [c2025-173N]**

Page 4, Schedule 1[3], proposed section 79AA. Insert after line 5—

genitalia or anus, for an animal, includes a body cavity with an external orifice that is used for defecation, urination or producing offspring.

Example— a cloaca of a bird

No. 7 **GOVT No. 7 [c2025-173N]**

Page 4, Schedule 1[3], proposed section 79AA. Insert after line 5—

excluded act means the following—

- (a) an act carried out in good faith for one or more of the following purposes—
 - (i) veterinary purposes,
 - (ii) agricultural or aquacultural purposes,
 - (iii) hygiene purposes,
 - (iv) scientific research purposes,
- (b) an act carried out to assist a female animal when giving birth,
- (c) an act carried out in the best interests of an animal for the physical health and care of the animal,
- (d) an act prescribed by the regulations.

No. 8 **GOVT No. 8 [c2025-173N]**

Page 4, Schedule 1[3], proposed section 79(2), lines 9 and 10. Omit all words on the lines.

No. 9 **GOVT No. 9 [c2025-173N]**

Page 4, Schedule 1[3], proposed section 79A, lines 11–14. Omit all words on the lines. Insert instead—

79A Animal sexual touching

- (1) A person must not sexually touch an animal.
Maximum penalty—imprisonment for 5 years.
- (2) For this section, **sexual touching** means a person touching an animal—
 - (a) in circumstances where a reasonable person would consider the touching to be sexual, and
 - (b) whether or not the touching is—
 - (i) with a part of the body or something else, or
 - (ii) through anything, including anything worn by the person or the animal.
- (3) The matters to be taken into account in deciding whether a reasonable person would consider touching to be sexual include—
 - (a) whether the area of the body touched or doing the touching is a genital area, anal area or mammary structure, including a breast, or
 - (b) whether the person doing the touching does so for the purpose of obtaining sexual arousal or sexual gratification, or
 - (c) whether another aspect of the touching, including the circumstances in which the touching is done, makes it sexual.
- (4) An excluded act is not sexual touching.

No. 10 **GOVT No. 10 [c2025-173N]**

Page 4, Schedule 1[3], proposed section 79B(a), line 17. Omit “for use in acts”. Insert instead “intending the animal to be used in an act”.

No. 11 **GOVT No. 11 [c2025-173N]**

Page 4, Schedule 1[3], proposed section 79B(c), line 20. Omit “for the purpose of committing”. Insert instead “intending the animal to be used in”.

No. 12 **GOVT No. 12 [c2025-173N]**

Page 4, Schedule 1[4], lines 26–33. Omit all words on the lines.

No. 13 **GOVT No. 13 [c2025-173N]**

Page 4, Schedule 1[5], lines 34 and 35. Omit all words on the lines. Insert instead—

[5] Section 547E, heading

Omit the heading. Insert instead—

547E Prohibited animal abuse material

[5A] Section 547E(1), (2) and (6), definition of “bestiality or animal crush material”

Omit “bestiality” wherever occurring. Insert instead “animal sexual abuse”.

[5B] Section 547E(2A) and (2B)

Insert after section 547E(2)—

- (2A) A person who produces or disseminates animal sexual touching material is guilty of an offence.

Maximum penalty—imprisonment for 3 years.

- (2B) A person who possesses animal sexual touching material is guilty of an offence.

Maximum penalty—imprisonment for 2 years.

[5C] Section 547E(3)(a)

Omit “was bestiality or animal crush material,”. Insert instead—

was—

- (i) for an offence against subsection (1) or (2)—animal sexual abuse or animal crush material, or
- (ii) for an offence against subsection (2A) or (2B)—animal sexual touching material,

[5D] Section 547E(3)(f) and (6), definitions of “disseminate” and “possess”

Omit “bestiality or animal crush” wherever occurring.

[5E] Section 547E(6)

Insert in alphabetical order—

animal sexual touching material means material depicting the sexual touching of an animal.

sexual touching has the same meaning as in section 79A.

[5F] Section 547E(6), definition of “produce”

Omit “bestiality or animal crush material includes”.

Insert instead “material includes”.

[5G] Section 547E(6), definition of “produce”, paragraphs (a) and (b)

Omit “bestiality or animal crush material” wherever occurring.

Insert instead “the material”.

[5H] Section 585

Insert after section 584—

585 Review of provisions relating to animal sexual abuse

- (1) The Minister must conduct a review of the reviewable provisions to determine whether—
 - (a) the policy objectives of the provisions remain valid, and
 - (b) the terms of the provisions remain appropriate for securing the objectives.
- (2) The review must be commenced as soon as practicable after the period of 3 years after the commencement date.
- (3) A report on the outcome of the review must be tabled in each House of Parliament within 12 months after the end of the period.
- (4) In this section—

commencement date means the day on which Part 3, Division 10, Subdivision 13 is substituted by the Crimes Amendment (Animal Sexual Abuse) Act 2025.

reviewable provisions means—

- (a) Part 3, Division 10, Subdivision 13, and
- (b) section 547E.

No. 14 **GOVT No. 14 [c2025-173N]**

Page 6, Schedule 2.3. Insert after line 19—

[2] Schedule 1 Indictable offences triable summarily

Omit “80,” from Table 1, clause 2.

[3] Schedule 1, Table 2, clause 4C

Omit the clause. Insert instead—

4C Offences involving animals

An offence under the *Crimes Act 1900*, section 79A, 79B, 80, 530, 531 or 547E(2A) or (2B).