

PUBLISHED OCTOBER 2026

SEX WORK LAWS: AUSTRALIAN CAPITAL TERRITORY

Sex work laws are different in each state and territory of Australia.

This guide is an introduction to sex work laws in the Australian Capital Territory.

For more information, contact SWOP ACT: 0427 475 671, swop@meridianact.org.au



Australian Capital Territory Sex Work Laws

In the ACT, sex work is **licensed**. These laws are also known as 'registration'.

What the law **allows**:

- Working in a **registered** brothel [or escort agency](#).
- Working alone. The law describes this as working for a 'sole operator brothel' or sole operator escort agency'. Independent sex workers are not required to register (see Private sex work below).

What the law **criminalises**:

- Independent/private sex workers working together
- Working for an **unregistered** sex work business
- All **unregistered** sex work businesses
- Street-based sex work.

Type of sex work	The Laws
Private work (incalls or outcalls)	Allowed , if you work alone.
Private work (incalls or outcalls)	Criminalised , if you work in pairs, small groups or share premises.
Workplaces (brothels, escort or massage parlours)	Must be registered , and in Fyshwick or Mitchell. Criminalised if unregistered or not in Fyshwick or Mitchell.
Street-based work	Criminalised .

Private sex work - incall and outcall

Doing private sex work (also known as being an independent sex worker) **alone** is **allowed**. Working with others or in small groups or cooperatives is criminalised.

- The laws describes private sex work as '[sole operator brothels](#),' (for incalls) or '[sole operator escort agencies](#)' (for outcalls).
- Sexual health testing for private sex workers is voluntary.
- Working from the same premises as another sex worker is **criminalised** as it is considered to be a brothel. Private workers providing 'doubles' (two workers seeing the same client together) is criminalised for the same reason.

Working from home

- Private sex workers can work from a residential space without council approval if they meet the [exemption requirements for home-based businesses](#). If you need information about planning requirements, [SWOP ACT](#) can assist you confidentially.
- Landlords or body corp/strata organisations might place restrictions on home-based businesses.



- Planning approvals are not required for working from hotels or other short-stay accommodation, such as Airbnb. These locations might have their own rules banning sex work. If they do, they are required to list them in their terms and conditions.

Brothels, escort agencies, and erotic massage premises

Sex worker workplaces in the ACT **must**:

- Be **registered** with Access Canberra. The owner or operator is responsible for doing this. Individual workers are not obliged to register.

Registered workplaces are allowed in the suburbs of Fyshwick and Mitchell.

Police entry: ACT police need permission or a warrant to enter. If they reasonably believe that people under the age of 18 are working at the premises they can enter without a warrant.

Sexual health testing: sex workers are not required to disclose STI status to owners or managers. Some businesses may request a Certificate of Attendance for STI/BBV screening as a condition of work. A Certificate of Attendance should only contain your working name, date of appointment and name of test clinic/medical professional. It should not contain the result of tests. The results are confidential to you.

Workplaces outside of Fyshwick or Mitchell

It is illegal to own or operate a brothel or escort agency in any suburb other than Fyshwick or Mitchell.

Unregistered workplaces

It is **illegal** to own or operate an unregistered workplace in any location.

In recent history, sex workers working for illegal businesses have not been charged or fined by police, but this could change. Contact SWOP ACT for further information.

Street-based, opportunistic and outdoor work

Street-based sex work is **criminalised** everywhere in the ACT.

It is illegal to:

- Approach a potential client or sex worker in a public place
- Verbally offer or ask for sexual services in a public place
- Stand around or walk slowly without a clear purpose to wait for a sex worker or potential client in a public place.

Public place is defined broadly, and includes streets, parks, or any other place that is open to the public (even if an entry fee is required). The maximum penalty for street-based work is a 20 penalty unit fine (\$3,200).



Safer sex

- Sex workers and clients are required by the law to use condoms or other safer sex PPE during vaginal, oral or anal penetration.
- If you have or might have an STI: If you know or suspect you have a transmissible notifiable condition, or have been exposed to one, you must take reasonable steps not to pass it on.
- A sex worker workplace must provide safer sex PPE to workers **free of charge**. This includes different types and sizes of condoms, water-based lubricants, dental dams, sponges and latex gloves. Maximum penalty for breach: 40 penalty unit fine (\$6,400 for an individual or \$32,400 for a corporation).
- It is illegal for a sex worker to tell a client that they have tested negative for STIs to make the client think that they don't have one. This applies whether you've been tested or not, and whether you have an STI or not.
- It is also illegal for sex workers or clients to:
 - 'misuse, damage or interfere' with a condom or other safer sex PPE
 - continue to use a condom or other safer sex PPE that the person knows is damaged.

Sexual Assault Laws

Consent and 'stealthing' (non-consensual condom tampering or removal)

Removal or tampering with a condom without the knowledge or agreement of both parties during sex in the ACT is a crime.

This law applies to everyone in the ACT, including sex workers and clients.

Anti-discrimination

It is unlawful to discriminate against a person because of their 'profession, occupation, trade or calling.' However, this protection has an exception: discrimination is not unlawful if a person's job is 'relevant' to the discrimination, and the discrimination was 'reasonable.' In practice, ACT sex workers routinely experience discrimination related to employment, housing, education and financial services.

Sex work related penalties

It is **illegal** to:

- Intimidate, assault or threaten a person to force them to do sex work.
- Supply, or offer to supply prohibited or restricted drugs in exchange for sex work.
- Intimidate, assault or threaten a person to force them to hand over their earnings from sex work.

Maximum penalty: 6 years imprisonment.

