



ILLAWONG LODGE incorporating Pounds Creek Hut (1925),
built and run by the Club since 1956.
Listed on the Register of the National Estate.



OVER 50 YEARS OF STEWARDSHIP

PROHIBITED PERSON DECLARATION

About this Declaration

It is the policy of Illawong Ski Tourers Inc. that persons wishing to book accommodation at Illawong Lodge declare that they are not a “prohibited person” within the meaning of section 33B of the *Commission for Children and Young People Act 1998* (NSW).

The purpose of this policy is to help protect children who may stay at Illawong Lodge. The policy recognises, in particular, that the sleeping accommodation comprises a single room with eight (8) bunks. From time to time, the sleeping quarters will accommodate persons who are not associated with one another either as members of the same family or friends.

A “prohibited person” is a person convicted of a serious sex offence, the murder of a child or a child-related personal violence offence. A “prohibited person” also includes a person who is a registrable person within the meaning of the *Child Protection (Offenders Registration) Act 2000*.

A **child-related personal violence offence** means:

- (a) an offence committed by an adult involving intentionally wounding or causing grievous bodily harm to a child, or
- (b) an offence committed by an adult of attempting, or of conspiracy or incitement, to commit an offence referred to in paragraph (a),

but does not include an offence committed by an adult who is not more than 3 years older than the child concerned.

A **serious sex offence** means:

- (a) an offence involving sexual activity or acts of indecency that was committed in New South Wales and that was punishable by penal servitude or imprisonment for 12 months or more, or
- (b) an offence, involving sexual activity or acts of indecency, that was committed elsewhere and that would have been an offence punishable by penal servitude or imprisonment for 12 months or more if it had been committed in New South Wales, or
- (c) an offence under section 80D or 80E of the Crimes Act 1900 (sexual servitude), where the person against whom the offence is committed is a child, or
- (d) an offence under sections 91D–91G of the Crimes Act 1900 (child prostitution, other than if committed by a child prostitute) or a similar offence under a law other than a law of New South Wales, or
- (e) an offence under section 91H, 578B or 578C (2A) of the Crimes Act 1900 (child pornography) or a similar offence under a law other than a law of New South Wales, or

- (f) an offence an element of which is an intention to commit an offence referred to in paragraph (a) or (b), or
- (g) an offence of attempting, or of conspiracy or incitement, to commit an offence referred to in the preceding paragraphs, or
- (h) any other offence, whether under the law of New South Wales or elsewhere, prescribed by the regulations.

A conviction for carnal knowledge is classified as a serious sex offence under the *Commission for Children and Young People Act*.

A conviction for an offence includes a finding that an offence is proven, or that a person is guilty of an offence, even though the court does not proceed to a conviction.

An offence that was a serious sex offence at the time of its commission is not a serious sex offence if the conduct constituting the offence has ceased to be an offence in New South Wales.

An offence involving sexual activity or an act of indecency is not a serious sex offence if the conduct constituting the offence:

- (a) occurred in a public place, and
- (b) would not have constituted an offence in New South Wales if the place were not a public place.

Declaration

I declare that I am not a “prohibited person” within the meaning of section 33B of the *Commission for Children and Young People Act 1998 (NSW)*.

Name: _____

Aliases (previous/other names): _____

Date of birth: _____

Signature: _____

Date: _____

Contact telephone number: _____

Contact Email: _____

You should seek legal advice if you are unsure of your status as a “prohibited person”.

This form is to be returned to the Booking Officer, Illawong Ski Tourers Inc. The information contained in this form will be used by the Booking Officer solely for the purpose stated in this document and the information will not be further disclosed without your permission, except as required by law.