



ANNO TRICESIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1985

No. 98 of 1985

An Act to amend the Criminal Law Consolidation Act, 1935.

[Assented to 1 November 1985]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. (1) This Act may be cited as the "Criminal Law Consolidation Act Amendment Act, 1985".

(2) The Criminal Law Consolidation Act, 1935, is in this Act referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of
s. 5—
Interpretation.

3. Section 5 of the principal Act is amended by striking out the definition of "sexual intercourse" and substituting the following definition:

"sexual intercourse" includes any activity (whether of a heterosexual or homosexual nature) consisting of or involving—

(a) penetration of the vagina or anus of a person by any part of the body of another person or by any object;

(b) fellatio;

or

(c) cunnilingus.

Amendment of
s. 48—
Rape.

4. Section 48 of the principal Act is amended by inserting after the word "shall" the passage "(whether or not physical resistance is offered by that other person)".

Repeal of s. 76a.

5. Section 76a of the principal Act is repealed.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor