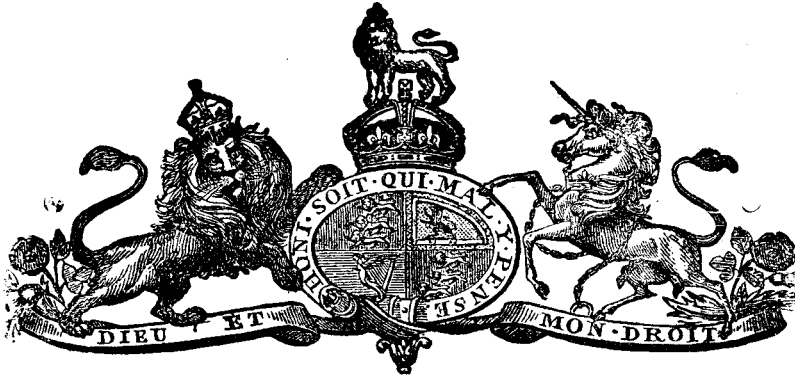


TASMANIA



1918.

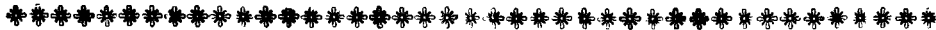
ANNO NONO

GEORGII V. REGIS.

No. 37.

ANALYSIS.

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Short title and incorporation with No. 23 of 1885.</li> <li>2. Repeal and re-enactment of Section 6 of Principal Act.<br/>Abusing or attempting to abuse a girl between the ages of 14 and 16.</li> <li>3. Consent no defence.</li> </ol> | <p>Offences against females between 16 and 17 years of age</p> <p>Consent no defence when female under 17.</p> <p>Sufficient defence to charge if the female a common prostitute.</p> <p>Limit of time when prosecution may be commenced.</p> |
|---|---|



AN ACT to further amend "The Offences against the Person Act, 1885." A.D. 1918.  
[14 January, 1919.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1** This Act may be cited as "The Offences against the Person Act, 1918," and shall be incorporated with and construed as one with "The Offences against the Person Act, 1885" (in this Act referred to as the Principal Act), and every amendment thereof. Short title and incorporation with No. 23 of 1885.

*Offences against the Person Amendment.*

A.D. 1918.

Repeal and re-enactment of Section 6 of Principal Act.

Abusing or attempting to abuse a girl between the ages of 14 and 16.

Cf. No. 2637 of 1915, s. 43 (Vict.).

Consent no defence.

Cf. No. 2637 of 1915, s. 43 (Vict.).

Offences against females between 16 and 17 years of age.

Cf. No. 2637 of 1915, s. 46.

Consent no defence where female under 17.

Sufficient defence to charge if female a common prostitute.

Cf. No. 2, 1910, s. 2 (N.S.W.), as amended by No. 22, 1911, s. 2.

Limit of time when prosecution may be commenced.

Cf. No. 2637 of 1915, s. 47 (Vict.).

Cf. No. 2, 1910 (N.S.W.).

**2** Section Six of the Principal Act is hereby repealed, and the following substituted therefor:—

“**6**—(1) Any person who unlawfully and carnally knows, or attempts to have unlawful carnal knowledge of any female being of or above the age of Fourteen years and under the age of Sixteen years, shall be guilty of a misdemeanor and being convicted thereof shall be liable to be imprisoned for Two years.

(2) The consent of the female shall be no defence to any charge under this section unless she is older than the defendant.”

**3** After Section Seven of the Principal Act the following sections are inserted:—

“**7a** The consent of the girl shall be no defence to any charge under Section Four or Five or Seven of this Act.”

“**7b**—(1) Any person who being of or above the age of Twenty-one years unlawfully and carnally knows or attempts to have an unlawful knowledge of any unmarried female of or above the age of Sixteen years and under the age of Seventeen years shall be guilty of a misdemeanor, and being convicted thereof shall be liable to be imprisoned for Twelve months.

(2) It shall be no defence to any charge under this section that such carnal knowledge was with the consent of such female.

“**7c** It shall be a sufficient defence to any charge in respect of an offence against a female under Section Six or Section **7b** if it shall be made to appear to the court or jury before whom the charge is brought that the female was at the time of the alleged offence a common prostitute or an associate of common prostitutes.”

“**7d** No prosecution for an offence against a—

- I. Girl above the age of Thirteen years under Section Five of this Act; or
- II. Girl of or above the age of Fourteen years under Section Six of this Act; or
- III. Female of or above the age of Sixteen years under Section **7b** of this Act—

shall be commenced more than Twelve months after the commission of the offence.”