

## Changes to Statutory Provisions for Sexual Offences

### (NSW) Crimes Act 1900

#### Part 3: Division 10 – Division 10B

This table sets out all changes to statutory provisions in relation to sexual offences contained in Part 3, Division 10-10B, (NSW) *Crimes Act* 1900 with links to the amending Acts. A list of the amending Acts is set out at the end of the Table.

Note Divisions and subdivisions have only been added to the Act recently and are included in the changes below.

For a list of all sexual offences, current and historical, setting out the period each offence is in force and the maximum penalty, see the separate document *Sexual Offences – Time Chart*.

Section	Change	Amending Act	Commencement Date	Summary of Amendments
<b>Part 3</b> Heading		<a href="#">1900 No.40</a>	31.10.1900	Heading: <u>Part III Offences Against the Person</u>
Heading	substituted	<a href="#">1900 No.40</a> <a href="#">1981 No.42</a>	31.10.1900 14.7.1981	Heading: <u>Rape and Similar Offences</u> – numbered (9) in short contents at beginning of Act Heading: <u>Offences in the nature of rape, offences relating to other acts of sexual assault etc</u>
<b>Div10</b> Heading	inserted  substituted	<a href="#">2000 No.53</a>  <a href="#">2018 No.33</a>	29.6.2000  1.12.2018	Heading: <u>Division 10: Offences in the nature of rape, offences relating to other acts of sexual assault etc</u>  (‘Division 10’ was added to the existing heading) Heading: <u>Division 10: Sexual Offences Against Adults and Children</u>

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.61A	inserted	<a href="#">1981 No.42</a>	14.7.1981	<u>Definitions of sexual intercourse etc</u>
	amended	<a href="#">1985 No.149</a>	23.3.1986	Expanded to new sections Definition of ‘under authority’ added in (5)
	amended	<a href="#">1987 No.184</a>	21.2.1988	Extended to apply to s.66F Definition of ‘in company’ added in (6)
	repealed	<a href="#">1989 No.198</a>	17.3.1991	Repealed  <u>Note:</u> for offences committed between 14.7.1981 and 3.5.1992 ‘sexual intercourse’ as defined after the amendment to s.61H on 3.5.1992 applies: <a href="#">Crimes Act Schedule 11</a> Part 2(2)
s.61B	inserted	<a href="#">1981 No.42</a>	14.7.1981	<i><u>(1) Inflict grievous bodily harm with intent to have sexual intercourse: 20 years</u></i>
	repealed	<a href="#">1989 No.198</a>	17.3.1991	Repealed
s.61C	inserted	<a href="#">1981 No.42</a>	14.7.1981	<i><u>(1)/(2) Inflict or threaten to inflict actual bodily harm with intent to have sexual intercourse: 12 years</u></i>
	amended	<a href="#">1987 No.184</a>	21.2.1988	Added offences <i><u>(3)/(4) Inflict or threaten to inflict actual bodily harm with intent to have sexual intercourse in company: 14 years</u></i>
	repealed	<a href="#">1989 No.198</a>	17.3.1991	Repealed
s.61D	inserted	<a href="#">1981 No.42</a>	14.7.1981	<i><u>(1) Sexual intercourse without consent: 7 years / 10 years (victim under 16y)</u></i>
	amended	<a href="#">1985 No.149</a>	23.3.1986	Added offence <i><u>(1A) Sexual intercourse person under 16y and under authority: 12 years</u></i>
	amended	<a href="#">1987 No.184</a>	21.2.1988	Increased penalty under (1) from 7 to 8 years Added offence <i><u>(1B) Sexual intercourse without consent in company: 10 years / 12 years (victim under 16y)</u></i>
	repealed	<a href="#">1989 No.198</a>	17.3.1991	Added offence <i><u>(1C) Sexual intercourse with person under 16y and under authority and in company: 14 years</u></i> Repealed

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.61E	inserted	<a href="#">1981 No.42</a>	14.7.1981	<u>(1) Indecent assault: 4 years / 6 years (victim under 16y)</u>
	amended	<a href="#">1985 No.149</a>	23.3.1986	<u>(2) Act of indecency: 2 years</u> Removed separate penalty for indecent assault against person under 16y in (1) Added offence <u>(1A) indecent assault on person under 16y and under authority: 6 years</u> Added offence <u>(2A) act of indecency on person under 16 years and under authority: 4 years</u>
	amended	<a href="#">1987 No.184</a>	21.2.1988	Added offence <u>(1B) indecent assault in company: 6 years</u> Added offence <u>(1C) indecent assault on person under 16y and under authority and in company: 8 years</u>
	repealed	<a href="#">1989 No.198</a>	17.3.1991	Repealed
s.61F	inserted	<a href="#">1981 No.42</a>	14.7.1981	<u>Attempt to commit offence under ss.61B-61E</u>
	repealed	<a href="#">1989 No.198</a>	17.3.1991	Repealed
s.61G	inserted	<a href="#">1981 No.42</a>	14.7.1981	<u>Alternative verdicts at trial for 61B-61D</u>
	amended	<a href="#">1985 No.149</a>	23.3.1986	Added additional offences as alternative verdicts
	amended	<a href="#">1987 No.184</a>	21.2.1988	Added (1A) to specify alternative offences to new subsections under ss.61C, 61D and 61E
	repealed	<a href="#">1989 No.198</a>	17.3.1991	Repealed
<b>Subdiv 1 Heading</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 1: Interpretation</u>

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.61H	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Definition of sexual intercourse etc</u>
	amended	<a href="#">1992 No.2</a>	3.5.1992	Amended definition (1)(a) to include penetration ‘to any extent’ of female genitalia  <u>Note:</u> for offences committed between 14.7.1981 and 3.5.1992 ‘sexual intercourse’ as defined after the amendment to s.61H on 3.5.1992 applies: <a href="#">Crimes Act Schedule 11</a> Part 2(2)
	amended	<a href="#">1995 No.23</a>	1.7.1995	Reworded (3) to include new offences under ss.61N and 61O on persons 16y or older
	amended	<a href="#">1996 No.22</a>	1.10.1996	Amended definition (1)(a) to include ‘surgically constructed vagina’
	amended	<a href="#">2003 No.9</a>	13.6.2003	Replaced ‘sections 61H-66F’ with ‘this Division’
	amended	<a href="#">2008 No.74</a>	1.12.2008	Definition of ‘cognitive impairment’ added under (1A)
	amended	<a href="#">2018 No.33</a>	1.12.2018	Replaced definitions of ‘sexual intercourse’ and ‘cognitive impairment’ in (1) and (1A) with reference to new sections 61HA-61HD
	amended	<a href="#">2021 No.43</a>	1.6.2022	Replaced (3) to refer to incitement to carry out sexual touching or sexual act  (4) added to clarify not relevant whether part of body is surgically constructed or not
s.61HA	inserted	<a href="#">2007 No.66</a>	1.1.2008	<u>Consent in relation to sexual offences</u>
	amended	<a href="#">2014 No.59</a>	23.10.2014	Added ‘attempts to commit’ to (1)  Replaced ‘medical’ with ‘health’
	substituted	<a href="#">2018 No.33</a>	1.12.2018	<u>Meaning of ‘sexual intercourse’</u>
	amended	<a href="#">2021 No.43</a>	1.6.2022	Replaced (a)-(c) in meaning of sexual intercourse  (2) added – reference to proper medical / hygienic purposes moved from (a)
s.61HB	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Meaning of sexual touching</u>
	amended	<a href="#">2021 No.43</a>	1.6.2022	(1A) added to include the continuation of sexual touching  (2)(a) reference to anal area or breasts reworded  (3) reference to genuine medical / hygienic purposes reworded

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.61HC	inserted  amended	<a href="#">2018 No.33</a>  <a href="#">2021 No.43</a>	1.12.2018  1.6.2022	<u>Meaning of sexual act</u>  (1A) added to include the continuation of sexual act  (2)(a) reference to anal area or breasts reworded  (3) reference to genuine medical / hygienic purposes reworded
s.61HD	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Meaning of cognitive impairment</u>
s.61HE	inserted  omitted	<a href="#">2018 No.33</a>  <a href="#">2021 No.43</a>	1.12.2018  1.6.2022	<u>Consent in relation to sexual offences</u>
Subdiv 1A Heading	inserted	<a href="#">2021 No.43</a>	1.6.2022	Heading: <u>Subdivision 1A: Consent and knowledge of consent</u>
s.61HF	inserted	<a href="#">2021 No.43</a>	1.6.2022	<u>Objective</u>
s.61HG	inserted	<a href="#">2021 No.43</a>	1.6.2022	<u>Application of Subdivision</u>
s.61HH	inserted	<a href="#">2021 No.43</a>	1.6.2022	<u>Definitions: consent and sexual activity</u>
s.61HI	inserted	<a href="#">2021 No.43</a>	1.6.2022	<u>Consent generally</u>
s.61HJ	inserted	<a href="#">2021 No.43</a>	1.6.2022	<u>Circumstances in which there is no consent</u>
s.61HK	inserted	<a href="#">2021 No.43</a>	1.6.2022	<u>Knowledge about consent</u>
Subdiv 2 Heading	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 2: Sexual assault and assault with intent to have sexual intercourse</u>
s.61I	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Sexual intercourse without consent: 14 years</u>

Section	Change	Amending Act	Commencement Date	Summary of Amendments
<b>s.61J</b>	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Aggravated sexual intercourse without consent: 20 years</u>
	amended	<a href="#">2007 No.38</a>	15.2.2008	‘Maliciously’ replaced by ‘intentionally or recklessly’
	amended	<a href="#">2008 No.74</a>	1.12.2008	‘Serious intellectual disability’ replaced by ‘cognitive impairment’ in (2)(g)
	amended	<a href="#">2008 No.105</a>	1.1.2009	Break into building and deprivation of liberty added as aggravating circumstance
	amended	<a href="#">2009 No.99</a>	22.2.2010	Changed reference to Division in definition of ‘building’
	amended	<a href="#">2018 No.87</a>	28.11.2018	Added (2)(b1) aggravating circumstance - threaten to inflict grievous bodily harm or wound
	amended	<a href="#">2021 No.43</a>	1.6.2022	(2) replaced ‘alleged offender’ with ‘accused person’ / ‘alleged victim’ with ‘complainant’
<b>s.61JA</b>	inserted	<a href="#">2001 No.62</a>	1.10.2001	<u>Aggravated sexual assault in company: Life</u>
	amended	<a href="#">2007 No.38</a>	15.2.2008	‘Maliciously’ replaced by ‘intentionally or recklessly’
	amended	<a href="#">2021 No.43</a>	1.6.2022	(1)(c) replaced ‘alleged victim’ with ‘complainant’
<b>s.61K</b>	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Maliciously inflict or threaten to inflict abh with intent to have sexual intercourse: 20 years</u>
	amended	<a href="#">2007 No.38</a>	15.2.2008	‘Maliciously’ replaced by ‘intentionally or recklessly’
<b>61KA (s.61T)</b>	renumbered	<a href="#">2018 No.33</a>	1.12.2018	<u>Offender married to victim</u> Moved unchanged from s.61T
<b>s.61KB (s.61U)</b>	renumbered	<a href="#">2018 No.33</a>	1.12.2018	<u>Circumstances of certain sexual offences to be considered in passing sentence</u> Moved unchanged from s.61U
<b>Subdiv 3 Heading</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 3: Sexual touching</u>
<b>s.61KC</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Sexual touching without consent: 5 years</u>
	amended	<a href="#">2021 No.43</a>	1.6.2022	replaced ‘alleged offender’ with ‘accused person’ / ‘alleged victim’ with ‘complainant’
<b>s.61KD</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Aggravated sexual touching: 7 years</u>
	amended	<a href="#">2021 No.43</a>	1.6.2022	replaced ‘alleged offender’ with ‘accused person’ / ‘alleged victim’ with ‘complainant’

Section	Change	Amending Act	Commencement Date	Summary of Amendments
<b>Subdiv 4 Heading</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 4: Sexual act</u>
<b>s.61KE</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Sexual act without consent: 18 months</u>
	amended	<a href="#">2021 No.43</a>	1.6.2022	replaced 'alleged offender' with 'accused person' / 'alleged victim' with 'complainant'
<b>s.61KF</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Aggravated sexual act without consent: 3 years</u>
	amended	<a href="#">2021 No.43</a>	1.6.2022	replaced 'alleged offender' with 'accused person' / 'alleged victim' with 'complainant'
<b>s.61L</b>	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Indecent assault: 5 years</u>
	repealed	<a href="#">2018 No.33</a>	1.12.2018	Repealed
<b>s.61M</b>	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>(1) Aggravated indecent assault: 7 years</u>
				<u>(2) Indecent assault person under 10y: 10 years</u>
	amended	<a href="#">2008 No.74</a>	1.12.2008	'Serious intellectual disability' replaced by 'cognitive impairment' in (3)(e)
	amended	<a href="#">2008 No.105</a>	1.1.2009	Changed (2) to increase age of victim from 10y to 16y
			Age of victim omitted as aggravating circumstance in (3)(b)	
	repealed	<a href="#">2018 No.33</a>	1.12.2018	Repealed
<b>s.61N</b>	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Act of indecency with or towards person under 16y: 2 years</u>
	amended	<a href="#">1992 No.2</a>	3.5.1992	Phrase 'or towards' added to element of inciting a person to an act of indecency
	amended	<a href="#">1995 No.23</a>	1.7.1995	Added offence <u>(2) Act of indecency on or towards person 16y or above: 18 months</u>
	repealed	<a href="#">2018 No.33</a>	1.12.2018	Repealed

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.61O	inserted	<a href="#">1989 No.198</a>	17.3.1991	<i>(1) Aggravated act of indecency with or towards person under 16y: 5 years</i> <i>(2) Act of indecency with or towards person under 10y: 7 years</i>
	amended	<a href="#">1995 No.23</a>	1.7.1995	Added offence <i>(1A) Aggravated act of indecency with or towards person 16y or above: 3 years</i>
	amended	<a href="#">1999 No.40</a>	1.9.1999	Phrase ‘or towards’ added to element of inciting a person to an act of indecency
	amended	<a href="#">2008 No.74</a>	1.12.2008	‘Serious intellectual disability’ replaced by ‘cognitive impairment’ in (3)(d)
	amended	<a href="#">2008 No.105</a>	1.1.2009	Added offence <i>(2A) Commit act of indecency with or towards child under 16y knowing act filmed for child pornography: 10 years</i>
	amended repealed	<a href="#">2010 No.9</a> <a href="#">2018 No.33</a>	17.9.2010 1.12.2018	‘Child pornography’ changed to ‘child abuse material’ in (2A)(b) and (4)(a) Repealed
s.61P	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Attempt commit offence under ss.61I-61O</u>
	amended	<a href="#">2001 No.62</a>	1.10.2001	Added s.61JA
	repealed	<a href="#">2018 No.33</a>	1.12.2018	Repealed
s.61Q (s.80AB)	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Alternative verdicts</u>
	amended	<a href="#">2001 No.62</a>	1.10.2001	New offence under s.61JA included
	amended	<a href="#">2003 No.9</a>	13.6.2003	Amendments under s.66C included
	amended	<a href="#">2008 No.74</a>	1.12.2008	Added s.66F as alternative to ss.61I, 61J and 61JA
	amended	<a href="#">2008 No.105</a>	1.1.2009	Added s.61O(2) and s.61N as alternative verdicts to s.61O(2A)
	amended renumbered	<a href="#">2010 No.9</a> <a href="#">2018 No.33</a>	17.9.2010 1.12.2018	‘Child pornography’ changed to ‘child abuse material’ in heading of (6) Moved unchanged to s.s.80AB
s.61R	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Provisions in relation to consent: ss.61I-61J</u>
	amended	<a href="#">1992 No.2</a>	3.5.1992	Added (2)(a1) – ‘mistaken belief sexual intercourse is for medical / hygienic purposes’
	amended	<a href="#">2001 No.62</a>	1.10.2001	Added s.61JA
	amended	<a href="#">2003 No.9</a>	13.6.2003	Added to (2)(a1) – ‘any other mistaken belief about nature of act induced by fraudulent means’
	repealed	<a href="#">2007 No.66</a>	1.1.2008	Repealed

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Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.61S (s.80AC)	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Offenders as minors – not presumed incapable of sexual intercourse or intent</u>
	amended	<a href="#">1997 No.85</a>	30.3.1998	Replaced reference to ‘ss.61H-61U’ with ‘of any offence’
	renumbered	<a href="#">2018 No.33</a>	1.12.2018	Moved unchanged to s.80AC
s.61T (s.61KA)	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Marriage no bar to conviction</u>
	amended	<a href="#">2001 No.62</a>	1.10.2001	Added s.61JA
	renumbered	<a href="#">2018 No.33</a>	1.12.2018	Moved unchanged to s.61KA
s.61U (s.61KB)	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>Consideration where being sentenced for s.61K with other sexual offence</u>
	amended	<a href="#">2001 No.62</a>	1.10.2001	Added s.61JA
	renumbered	<a href="#">2018 No.33</a>	1.12.2018	Moved unchanged to s.61KB
s62	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Proof of carnal knowledge</u>
		<a href="#">1984 No.7</a>	8.6.1984	Expanded to include penetration of anus of female by penis
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.63 (s.80AD)	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Rape: Death</u>
		<a href="#">1955 No.16</a>	14.4.1955	Penalty of death replaced by penal servitude for life
	substituted	<a href="#">1981 No.42</a>	14.7.1981	<u>Common law offence of rape and attempted rape abolished</u>
	amended	<a href="#">2003 No.9</a>	13.6.2003	Added (2) – reference to Parts 1 and 19 of Eleventh Schedule
	amended	<a href="#">2003 No.27</a>	8.7.2003	Added Part 1A to Eleventh Schedule reference in (2)
	amended	<a href="#">2007 No.38</a>	27.9.2007	Changed Eleventh Schedule to Schedule 11
	renumbered	<a href="#">2018 No.33</a>	1.12.2018	Moved unchanged to s.80AD

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.64		<a href="#">1900 No.40</a>	31.10.1900	<u>Trial for rape – verdict of carnal knowledge</u> (as alternative)
	amended	<a href="#">1910 No.2</a>	25.7.1910	Reference to age of victim increased to 16y
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Trial for rape – verdict of carnal knowledge</u> (as alternative)
	amended	<a href="#">1974 No.50</a>	2.8.1974	Wording changed – jury must be ‘not satisfied carnal knowledge was without consent of victim’ instead of ‘satisfied carnal knowledge occurred with consent’
	amended	<a href="#">1981 No.42</a>	14.7.1981	Amended to apply to offence of rape committed before offence abolished
	transferred	<a href="#">2003 No.9</a>	13.6.2003	Moved to Clause 51, Part 19 of Eleventh Schedule
s.65		<a href="#">1900 No.40</a>	31.10.1900	<u>Attempted rape: 14 years</u>
	repealed	<a href="#">1981 No.42</a>	14.7.1981	Repealed
s.65A	inserted	<a href="#">1987 No.184</a>	21.2.1988	<u>Sexual intercourse procured by intimidation, coercion and other non-violent threats: 6 years</u>
	repealed	<a href="#">2007 No.66</a>	1.1.2008	Repealed
s.66		<a href="#">1900 No.40</a>	31.10.1900	<u>Procure carnal knowledge by fraud or intoxicating drug: 14 years</u>
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
Subdiv 5 Heading	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 5: Children – sexual assault</u>
s.66A	inserted	<a href="#">1985 No.149</a>	23.3.1986	<u>Sexual intercourse child under 10y: 20 years</u>
	amended	<a href="#">2002 No.90</a>	1.2.2003	Maximum penalty increased from 20 to 25 years
	substituted	<a href="#">2008 No.105</a>	1.1.2009	<u>(1) Sexual intercourse child under 10y: 25 years</u>
				<u>(2) Aggravated sexual intercourse with child under 10y: Life</u>
	amended	<a href="#">2009 No.27</a>	19.5.2009	Break into building added as aggravating circumstance
	substituted	<a href="#">2015 No.13</a>	29.6.2015	<u>Sexual intercourse with child under 10y: Life</u>
s.66B	inserted	<a href="#">1985 No.149</a>	23.3.1986	<u>Attempted sexual intercourse child under 10y: 20 years</u>
	amended	<a href="#">2002 No.90</a>	1.2.2003	Maximum penalty increased from 20 to 25 years
	amended	<a href="#">2018 No.33</a>	1.12.2018	Replaced wording in references to victim

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Section	Change	Amending Act	Commencement Date	Summary of Amendments	
s.66C	inserted	<a href="#">1985 No.149</a>	23.3.1986	<i>(1) Sexual intercourse child between 10-16y: 8 years</i>	
	substituted	<a href="#">2003 No.9</a>	13.6.2003	<i>(2) Sexual intercourse child between 10-16y under authority: 10 years</i>	
				<i>(1) Sexual intercourse child between 10-14y: 16 years</i>	
					<i>(2) Aggravated Sexual intercourse child between 10-14y: 20 years</i>
					<i>(3) Sexual intercourse child between 14-16y: 10 years</i>
					<i>(4) Aggravated Sexual intercourse child between 14-16y: 12 years</i>
	amended	<a href="#">2007 No.38</a>	15.2.2008	‘Maliciously’ replaced by ‘intentionally or recklessly’	
amended	<a href="#">2008 No.74</a>	1.12.2008	‘Serious intellectual disability’ replaced by ‘cognitive impairment’ in (5)(f)		
amended	<a href="#">2008 No.105</a>	1.1.2009	Deprivation of liberty added as aggravating circumstance		
amended	<a href="#">2009 No.27</a>	19.5.2009	Break into building added as aggravating circumstance		
amended	<a href="#">2018 No.33</a>	1.12.2018	Replaced reference to victim as ‘person’ with ‘child’		
amended	<a href="#">2021 No.43</a>	1.6.2022	(5) replaced ‘alleged offender’ with ‘accused person’ / ‘alleged victim’ with ‘complainant’		
s.66D	inserted	<a href="#">1985 No.149</a>	23.3.1986	<i>Attempted sexual intercourse child between 10-16y</i>	
	substituted	<a href="#">2018 No.33</a>	1.12.2018	<i>Assault with intent to have sexual intercourse with child between 10-16y</i>	
Subdiv 6 Heading	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 6: Children – sexual touching</u>	
s.66DA	inserted	<a href="#">2018 No.33</a>	1.12.2018	<i>Sexual touching child under 10y: 16 years</i>	
s.66DB	inserted	<a href="#">2018 No.33</a>	1.12.2018	<i>Sexual touching child between 10-16y: 10 years</i>	
Subdiv 7 Heading	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 7: Children - sexual act</u>	
s.66DC	inserted	<a href="#">2018 No.33</a>	1.12.2018	<i>Sexual act child under 10y: 7 years</i>	
s.66DD	inserted	<a href="#">2018 No.33</a>	1.12.2018	<i>Sexual act child between 10-16y: 2 years</i>	

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.66DE	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Aggravated sexual act child between 10-16y: 5 years</u>
	amended	<a href="#">2021 No.43</a>	1.6.2022	(2) replaced ‘alleged offender’ with ‘accused person’ / ‘alleged victim’ with ‘complainant’
s.66DF	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Sexual act for production of child abuse material on child under 16y: 10 years</u>
s.66E (s.80AB)	inserted	<a href="#">1985 No.149</a>	23.3.1986	<u>Alternative offences</u>
	amended	<a href="#">1989 No.198</a>	17.3.1991	Added s.66B and s.66D as alternative offences in (3) and (4)
	amended	<a href="#">2003 No.9</a>	13.6.2003	Amended to include new offences under s.66C
	substituted	<a href="#">2008 No.105</a>	1.1.2009	Reworded to reflect amendments to s.66A
	amended	<a href="#">2015 No.13</a>	29.6.2015	Amended to reflect amendments to s.66A
	amended	<a href="#">2018 No.33</a>	1.12.2018	Added (6) – ss.66DA and 66DB alternative verdicts to ss.66A-66D
	renumbered	<a href="#">2018 No.33</a>	1.12.2018	Moved (1), (3)-(6) and renumbered s.80AB(7)-(11)
	repealed	<a href="#">2018 No.33</a>	1.12.2018	Repealed
Subdiv 8 Heading	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 8: Children – persistent sexual abuse</u>
s.66EA	inserted	<a href="#">1998 No.131</a>	15.1.1999	<u>Persistent sexual abuse of a child: 25 years</u>
	amended	<a href="#">2001 No.62</a>	1.10.2001	s.61JA added to definition of sexual offences in (12)
	substituted	<a href="#">2018 No.33</a>	1.12.2018	<u>Persistent sexual abuse of a child: life</u>
Subdiv 9 Heading	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 9: Children – procurement and grooming</u>
s.66EB	inserted	<a href="#">2007 No.74</a>	18.1.2008	<u>(2) Procuring child under 16y for unlawful sexual activity: 12 years / 15 years (child under 14y)</u> <u>(3) Grooming child under 16y for unlawful sexual activity: 10 years / 12 years (child under 14y)</u>
	amended	<a href="#">2008 No.105</a>	1.1.2009	Added offence <u>(2A) Meeting child following grooming: 12 years / 15 years (victim under 14y)</u>
	amended	<a href="#">2018 No.33</a>	1.12.2018	Added ‘any financial or other material benefit’ to (3)(a)

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.66EC	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Grooming person for unlawful sexual activity with child under person's authority: 5 years / 6 years (child under 14y)</u>
<b>Subdiv 10 Heading</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 10: Sexual offences – cognitive impairment</u>
s.66F	inserted	<a href="#">1987 No.184</a>	21.2.1988	<u>(2) Sexual intercourse with person with an intellectual disability under authority: 10 years</u>
	substituted	<a href="#">2008 No.74</a>	1.12.2008	<u>(3) Sexual intercourse with person with an intellectual disability: 8 years</u> <u>(2) Sexual intercourse with person with cognitive impairment under care of offender: 10 years</u>
	amended	<a href="#">2012 No.67</a>	24.9.2012	<u>(3) Sexual intercourse with person with cognitive impairment: 8 years</u> Changed 'de facto partner' to 'established de facto partner' in (7)
	amended	<a href="#">2018 No.33</a>	1.12.2018	Removed (4) – attempt to commit offence Replaced (5)-(8) to include changes to related offences
s.67	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Carnal knowledge girl under 10y: Death</u>
	amended	<a href="#">1955 No.16</a>	14.4.1955	Penalty of death replaced by penal servitude for life
	repealed	<a href="#">1985 No.149</a>	23.3.1986	Repealed
s.68	repealed	<a href="#">1900 No.40</a>	31.10.1900	<u>Attempt carnal knowledge girl under 10y: 14 years</u>
	repealed	<a href="#">1985 No.149</a>	23.3.1986	Repealed
s.69	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Section 71 as alternative offence to s.67</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Reference to age of victim increased to 16y
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Section 71 as alternative offence to s.67</u>
	amended	<a href="#">1985 No.149</a>	23.3.1986	Technical change to wording
	transferred	<a href="#">2003 No.9</a>	13.6.2003	Moved to Clause 52, Part 19 of Eleventh Schedule

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.70		<a href="#">1900 No.40</a>	31.10.1900	<u>Section 72 as alternative offence to s.67</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Reference to age of victim increased to 16y
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Section 72 as alternative offence to s.67</u>
	amended	<a href="#">1974 No.50</a>	2.8.1974	Wording changed – jury must be ‘not satisfied accused had carnal knowledge with victim’ instead of ‘satisfied did not have carnal knowledge’
	amended	<a href="#">1985 No.149</a>	23.3.1986	Technical change to wording
	transferred	<a href="#">2003 No.9</a>	13.6.2003	Moved to Clause 53, Part 19 of Eleventh Schedule
s.71		<a href="#">1900 No.40</a>	31.10.1900	<u>Carnal knowledge girl aged 10-14y: 10 years</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Age of victim increased to 16y
	amended	<a href="#">1911 No.21</a>	21.12.1911	Defences of being a common prostitute and reasonable belief and time limitation on prosecutions added
	substituted	<a href="#">1924 No.10</a>	1.10.1924	Defences and time limitation amended
				<u>Carnal knowledge girl aged 10-16y: 10 years</u>
	repealed	<a href="#">1985 No.149</a>	23.3.1986	(Defences and time limitation removed) Repealed
s.72		<a href="#">1900 No.40</a>	31.10.1900	<u>Attempted carnal knowledge girl aged 10-14y: 5 years</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Age of victim increased to 16y
	amended	<a href="#">1911 No.21</a>	21.12.1911	Defences of being a common prostitute and reasonable belief and time limitation on prosecutions added
	substituted	<a href="#">1924 No.10</a>	1.10.1924	Defences and time limitation amended
				<u>Attempted carnal knowledge girl aged 10-16y: 5 years</u>
	amended	<a href="#">1974 No.50</a>	2.8.1974	(Defences and time limitation removed)
	repealed	<a href="#">1985 No.149</a>	23.3.1986	Correction to age of victim from ‘above 10y’ to ‘of or above 10y’ Repealed
s.72A	inserted	<a href="#">1924 No.10</a>	1.10.1924	<u>Carnal knowledge of idiot or imbecile: 5 years</u>
	repealed	<a href="#">1987 No.184</a>	21.2.1988	Repealed

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Section	Change	Amending Act	Commencement Date	Summary of Amendments
<b>Subdiv 11 Heading</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 11: Sexual offences – young person under special care</u>
<b>s.72B</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Definitions of ‘authorised carer’, ‘member of teaching staff’ and ‘young person’</u>
	amended	<a href="#">2020 No.11</a>	23.6.2020	Definitions of ‘close family member’ and ‘parent’ added Definition of ‘member of teaching staff’ replaced with s.72B(2) – definition of ‘performing work at a school or organisation’
<b>s.73</b>	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Carnal knowledge girl between 10-16y by teacher or father: 14 years</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Age of victim increased to 17y Added ‘step-father’ / ‘step-daughter’
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Carnal knowledge girl between 10-17y by teacher, father etc: 14 years</u>
	amended	<a href="#">1985 No.149</a>	23.3.1986	Replaced age of victim to ‘of the age of 16y’ Maximum penalty reduced to 8 years
	amended	<a href="#">1987 No.48</a>	1.9.1987	Replaced ‘of the age of 16y’ with ‘aged of or above 16y and under 17y’
	substituted	<a href="#">2003 No.9</a>	13.6.2003	<u>(1) Sexual intercourse with child 16y under special care: 8 years</u> <u>(2) Sexual intercourse with child 17y under special care: 4 years</u>
	amended	<a href="#">2012 No.67</a>	24.9.2012	Added ‘de facto partner of parent, guardian or foster parent’ of victim
	amended	<a href="#">2018 No.4</a>	21.3.2018	Amended to include a ‘member of teaching staff’
	amended	<a href="#">2018 No.33</a>	1.12.2018	Removed (4) – attempt to commit offence Removed (6) definition of teaching staff (inserted s.72B) Other minor wording changes to ‘victim and ‘foster parent’
	amended	<a href="#">2020 No.11</a>	23.6.2020	Reference to relationship of special care under (3)(a), (b) and (c) amended – (3)(b1), (f) and (g) added
	amended	<a href="#">2021 No.43</a>	1.6.2022	Replaced ‘victim’ with ‘complainant’ / ‘offender’ with ‘accused person’ (3)(b1) ‘replaced ‘offender’s authority’ with ‘authority of the accused person’

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.73A	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Sexual touching young person between 16-18y under special care: 2 years (victim 17y) / 4 years (victim 16y)</u>
	amended	<a href="#">2020 No.11</a>	23.6.2020	Reference to relationship of special care under (3)(a), (b) and (c) amended – (3)(b1), (f) and (g) added
	amended	<a href="#">2021 No.43</a>	1.6.2022	Replaced ‘victim’ with ‘complainant’ / ‘offender’ with ‘accused person’ (3)(b1) ‘replaced ‘offender’s authority’ with ‘authority of the accused person’
s.74	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Attempted carnal knowledge girl between 10-16y by teacher or father: 7 years</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Age of victim increased to 17y Added ‘step-father’ / ‘step-daughter’
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Attempted carnal knowledge girl between 10-17y by teacher, father etc: 7 years</u>
	amended	<a href="#">1985 No.149</a>	23.3.1986	Replaced age of victim to ‘of the age of 16y’ Maximum penalty increased to 8 years
	amended	<a href="#">1987 No.48</a>	1.9.1987	Replaced ‘of the age of 16y’ with ‘aged of or above 16y and under 17y’
repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed	
s.75	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Teacher, father etc may be prosecuted under 71 and 72</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Added ‘step-father’
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Teacher, father etc may be prosecuted under 71 and 72</u>
	amended	<a href="#">1951 No.31</a>	6.11.1951	Minor technical change in wording
	amended	<a href="#">1985 No.149</a>	23.3.1986	Reference to s.74 as in force prior to 1986 amendment
repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed	
s.76	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Consent no defence to offences under ss.67-75</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Added ‘step-daughter’
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Indecent assault on female: 3 years / 5 years (victim under 16y)</u>
	amended	<a href="#">1974 No.50</a>	2.8.1974	Maximum penalties increased to 4 years / 6 years
repealed	<a href="#">1981 No.42</a>	14.7.1981	Repealed	



Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.76A	inserted	<a href="#">1974 No.50</a>	2.8.1974	<u>Act of indecency girl under 16y: 2 years</u>
	repealed	<a href="#">1981 No.42</a>	14.7.1981	Repealed
s.77 (s.80AE)		<a href="#">1900 No.40</a>	31.10.1900	<u>Indecent assault girl under 14y: 5 years</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Age of victim increased to 16y Defence of being a common prostitute and reasonable belief and time limitation on prosecutions added
	amended	<a href="#">1911 No.21</a>	21.12.1911	Defences and time limitation amended
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Consent no defence in certain cases</u> (defences retained)
	amended	<a href="#">1974 No.50</a>	2.8.1974	Added s.76A
	amended	<a href="#">1981 No.42</a>	14.7.1981	Minor changes in wording Added s.61E(1) and (2) Defence that victim a common prostitute or associate of common prostitute removed Reference to repealed ss.76 and 76A moved to (2)
	substituted	<a href="#">1985 No.149</a>	23.3.1986	<u>Consent no defence in certain cases</u> (defence of reasonable belief retained)
	amended	<a href="#">1987 No.184</a>	21.2.1988	Added s.66F
	amended	<a href="#">1989 No.198</a>	17.3.1991	Added ss.61L-61O
	amended	<a href="#">1995 No.23</a>	1.7.1995	Replaced ss.61N and 61O with ss.61N(1) and 61O(1) or (2)
	amended	<a href="#">1998 No.131</a>	15.1.1999	Added s.66EA
	amended	<a href="#">1999 No.40</a>	1.9.1999	Defence of reasonable belief amended to include where victim is 'of or over 14y'
	amended	<a href="#">2003 No.9</a>	13.6.2003	Removed (2) defence of reasonable belief  <u>Note:</u> s.77(2) continues to apply to offences committed before the repeal: <a href="#">Crimes Act Schedule 11</a> Part 19(49)
amended	<a href="#">2007 No.74</a>	18.1.2008	Added s.66EB	

Section	Change	Amending Act	Commencement Date	Summary of Amendments
(cont)	amended	<a href="#">2008 No.74</a>	1.12.2008	Removed s.66F (consent provision in new s.66F)
s.77	amended	<a href="#">2008 No.105</a>	1.1.2009	Added ss.61O(2A), 66A(1) and 66A(2)
(s.80AE)	amended	<a href="#">2015 No.13</a>	29.6.2015	Replaced s.66A(1) and (2) with s.66A
	renumbered	<a href="#">2018 No.33</a>	1.12.2018	Moved unchanged to s.80AE
s.77A	inserted	<a href="#">1974 No.50</a>	2.8.1974	<u>Court can direct proceedings held in camera for nominated offences</u>
	substituted	<a href="#">1981 No.42</a>	14.7.1981	<u>Court can direct proceedings held in camera for nominated offences</u>
	amended	<a href="#">1985 No.149</a>	23.3.1986	Added offences Offences referred to in (2) moved to (1)
	substituted	<a href="#">1987 No.184</a>	21.2.1988	<u>Court can direct proceedings held in camera for nominated offences</u>
	amended	<a href="#">1988 No.115</a>	12.2.1989	Added ss.91D-91G Added to definition of complainant in (6)
	amended	<a href="#">1997 No.142</a>	25.1.1998	Minor amendment to definition of complainant in (6)(b)
	repealed	<a href="#">1999 No.94</a>	1.1.2000	Repealed (subject of section moved to ss.117, 118 <i>Criminal Procedure Act</i> )
s.78	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Indecent assault on girl of or above 14y: 3 years</u>
	amended	<a href="#">1910 No.2</a>	25.7.1910	Age of victim increased to 16y Defence of being a common prostitute and reasonable belief and time limitation on prosecutions added
	amended	<a href="#">1911 No.21</a>	21.12.1911	Reference to age of victim removed Defences and time limitations removed
	substituted	<a href="#">1924 No.10</a>	1.10.1924	<u>Time limitation on prosecution for offences under sections 71, 72 and 76</u>
	amended	<a href="#">1981 No.42</a>	14.7.1981	Added s.61E(1)
	amended	<a href="#">1985 No.149</a>	23.3.1986	Added ss.66C(1) and 66D
	repealed	<a href="#">1992 No.2</a>	3.5.1992	Repealed  Note: The repeal applies retrospectively as if the section had never been enacted – the section cannot be relied on to prevent any prosecution for an offence even if the offence occurred before the repeal: <a href="#">Crimes Act Schedule 11</a> Part 35(82).

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Section	Change	Amending Act	Commencement Date	Summary of Amendments
<b>Subdiv 12 Heading</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 12: Incest</u>
<b>s.78A</b>	inserted amended <b>substituted</b> amended	<a href="#">1924 No.10</a> <a href="#">1985 No.149</a> <a href="#">2003 No.9</a> <a href="#">2020 No.11</a>	1.10.1924 23.3.1986 13.6.2003 23.6.2020	<u>Incest: 7 years</u> Added 'female of or above 16y who is his mother...' <u>Incest: 8 years</u> (1A) added – person of or above 16y and under 18y commits no offence if other person is parent or grandparent
<b>s.78B</b>	inserted amended amended	<a href="#">1924 No.10</a> <a href="#">1951 No.31</a> <a href="#">2003 No.9</a>	1.10.1924 6.11.1951 13.6.2003	<u>Attempted incest: 2 years</u> Minor technical wording change Expanded to include female offenders
<b>s.78C</b>	inserted amended	<a href="#">1924 No.10</a> <a href="#">1951 No.31</a>	1.10.1924 6.11.1951	<u>Defence to charge of incest</u> Minor technical wording change
<b>s.78D</b>	inserted <b>repealed</b>	<a href="#">1924 No.10</a> <a href="#">2003 No.9</a>	1.10.1924 13.6.2003	<u>Removal as guardian male convicted under sections 73, 74, 72A, 78A or 78B</u> Repealed
<b>s.78E</b>	inserted amended amended <b>renumbered</b>	<a href="#">1924 No.10</a> <a href="#">1981 No.42</a> <a href="#">1985 No.149</a> <a href="#">2003 No.9</a>	1.10.1924 14.7.1981 23.3.1986 13.6.2003	<u>Sections 78A and 78B as alternative offences to sections 63 and 65</u> Changed wording to refer to repealed s.63 and s.65 as in force at time of repeal Removed reference to 'as in force at time of repeal' Moved to Clause 54, Part 19 of Eleventh Schedule
<b>s.78F</b>	inserted amended	<a href="#">1924 No.10</a> <a href="#">2000 No.43</a>	1.10.1924 31.7.2000	<u>Prosecution under 78A and 78B must have sanction of Attorney General and be held in camera</u> Removed s.78F(2) dealing with proceedings in camera – subject moved to ss.117, 118 <u>Criminal Procedure Act</u>

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.78G	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Definition of homosexual intercourse</u>
	amended	<a href="#">1984 No.153</a>	10.12.1984	Definition expanded to ss.78P and 78Q
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.78H	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Homosexual intercourse with male under 10y: Life</u>
	amended	<a href="#">1989 No.218</a>	12.1.1990	Reduced penalty to 25 years
	repealed	<a href="#">2002 No.90</a>	1.2.2003	Repealed
s.78I	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Attempt homosexual intercourse with male under 10y: 14 years</u>
	repealed	<a href="#">2002 No.90</a>	1.2.2003	Repealed
s.78J	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>s.78K and s.78L as alternative offence at trial for s.78H</u>
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.78K	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Homosexual intercourse with male between 10-18y: 10 years</u>
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.78L	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Attempt homosexual intercourse with male between 10y-18y: 5 years</u>
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.78M	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Homosexual intercourse with idiot or imbecile: 5 years</u>
	repealed	<a href="#">1987 No.184</a>	21.2.1988	Repealed
s.78N	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Homosexual intercourse with male between 10-18y by teacher, father etc: 14 years</u>
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.78O	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Attempt homosexual intercourse with male between 10-18y by teacher, father etc: 7 years</u>
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.78P	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Teacher, father etc may be prosecuted under ss78K or 78L</u>
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.78Q	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Act of gross indecency with male under 18y: 2 years</u>
	amended	<a href="#">1992 No.2</a>	3.5.1992	Added 'or towards' to wording of offence
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.78R	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Consent no defence to offences under ss.78H-78Q</u>
	repealed	<a href="#">2003 No.9</a>	13.6.2003	Repealed
s.78S	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Court can direct proceedings held in camera for offences under ss.78H-78Q</u>
	repealed	<a href="#">1987 No.184</a>	21.2.1988	Repealed
s.78T	inserted	<a href="#">1984 No.7</a>	8.6.1984	<u>Time limitation for offences under ss.78K and 78L where victim aged 16-17y – consent of Attorney-General required if accused under 18y for offences under ss.78H-78Q</u>
	amended	<a href="#">1992 No.2</a>	3.5.1992	Time limitation removed
	renumbered	<a href="#">2003 No.9</a>	13.6.2003	Moved to Clause 55, Part 19 of Eleventh Schedule
Heading	repealed	<a href="#">1900 No.40</a>	31.10.1900	Heading: <u>Unnatural offences</u> – numbered (10) in short contents at beginning of Act
		<a href="#">1984 No.7</a>	8.6.1984	
Subdiv 13 Heading	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 13: Bestiality</u>
s.79	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Buggery or bestiality: Life</u>
		<a href="#">1924 No.10</a>	1.10.1924	Sentence of life replaced by 14 years
		<a href="#">1984 No.7</a>	8.6.1984	Buggery removed from section
s.80	amended	<a href="#">1900 No.40</a>	31.10.1900	<u>Attempted buggery or bestiality: 5 years</u>
		<a href="#">1951 No.31</a>	6.11.1951	Added 'with or without consent'
		<a href="#">1984 No.7</a>	8.6.1984	Buggery removed from section
Subdiv 14 Heading	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 14: Sexual assault by forced manipulation</u>

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.80A	inserted	<a href="#">1989 No.198</a>	17.3.1991	<u>(2) Sexual assault by forced self-manipulation: 14 years / 20 years (victim under 10y)</u>
	amended	<a href="#">1996 No.22</a>	1.10.1996	Definition of self-manipulation amended to include surgically constructed vagina
	amended	<a href="#">2004 No.11</a>	24.3.2004	Added definition of circumstances of aggravation under (1) Reference to higher penalty where victim under 10y removed from (2) Created offence (2A) <u>Aggravated Sexual assault by forced self-manipulation: 20 years</u>
	amended	<a href="#">2007 No.38</a>	15.2.2008	‘Maliciously’ replaced by ‘intentionally or recklessly’
	amended	<a href="#">2008 No.74</a>	1.12.2008	‘Serious intellectual disability’ replaced by ‘cognitive impairment’ in (1)
	amended	<a href="#">2021 No.43</a>	1.6.2022	(1) replaced ‘alleged offender’ with ‘accused person’ / ‘alleged victim’ with ‘complainant’ Omitted “(including a surgically constructed vagina)” from (1) definition of self-manipulation.
<b>Subdiv 15 Heading</b>	inserted	<a href="#">2018 No.33</a>	1.12.2018	Heading: <u>Subdivision 15: Miscellaneous</u>
s.80AA	inserted	<a href="#">2003 No.9</a>	13.6.2003	<u>Referral to child protection agency</u>
s.80AB (ss.61Q / 66E)	renumbered	<a href="#">2018 No.33</a>	1.12.2018	<u>Alternative verdicts</u> Moved unchanged from s.61Q
	amended	<a href="#">2018 No.33</a>	1.12.2018	Replaced old offences with new offences Subsections moved from s.66E
	amended	<a href="#">2021 No.43</a>	1.6.2022	replaced ‘alleged victim’ with ‘complainant’
s.80AC (s.61S)	renumbered	<a href="#">2018 No.33</a>	1.12.2018	<u>Offenders who are minors</u> Moved unchanged from s.61S
s.80AD (s.63)	renumbered	<a href="#">2018 No.33</a>	1.12.2018	<u>Common law offence of rape and attempted rape abolished</u> Moved unchanged from s.63
s.80AE (s.77)	renumbered	<a href="#">2018 No.33</a>	1.12.2018	<u>Consent no defence in certain cases</u> Moved unchanged from s.77
	amended	<a href="#">2018 No.33</a>	1.12.2018	Added new offence section numbers

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Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.80AF	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Uncertainty about time when sexual offence against child occurred</u>
	amended	<a href="#">2019 No.10</a>	26.9.2019	Clarification where two offences have same maximum penalty
	amended	<a href="#">2021 No.43</a>	1.6.2022	replaced 'victim' with 'complainant' / 'victim of' with 'complainant in relation to'
s.80AG	inserted	<a href="#">2018 No.33</a>	1.12.2018	<u>Defence of similar age</u>
	amended	<a href="#">2021 No.43</a>	1.6.2022	replaced 'alleged victim' with 'complainant'
<b>Div 10A Heading</b>	inserted	<a href="#">2001 No.99</a>	22.3.2002	Heading: <u>Division 10A – Sexual servitude</u>
s.80B	inserted	<a href="#">2001 No.99</a>	22.3.2002	<u>Meaning of sexual servitude</u>
s.80C	inserted	<a href="#">2001 No.99</a>	22.3.2002	<u>Meaning of circumstances of aggravation</u>
	amended	<a href="#">2008 No.74</a>	1.12.2008	'Serious intellectual disability' replaced by 'cognitive impairment' in (b)
s.80D	inserted	<a href="#">2001 No.99</a>	22.3.2002	<u>(1) Causing sexual servitude: 15 years</u>
	amended	<a href="#">2008 No.105</a>	1.1.2009	<u>(2) Aggravated causing sexual servitude: 19 years</u> Penalty increased from 19-20 years for aggravated offence
s.80E	inserted	<a href="#">2001 No.99</a>	22.3.2002	<u>(1) Conduct business involving sexual servitude: 15 years</u>
				<u>(2) Aggravated conduct business involving sexual servitude: 19 years</u>
s.80F	inserted	<a href="#">2001 No.99</a>	22.3.2002	<u>Alternative verdicts at trial for aggravated offences involving sexual servitude</u>
<b>Div 10B Heading</b>	inserted	<a href="#">2008 No.105</a>	1.1.2009	Heading: <u>Division 10B – Incitement to commit sexual offence</u>
s.80G	inserted	<a href="#">2008 No.105</a>	1.1.2009	<u>Incitement to commit sexual offence</u>
	amended	<a href="#">2018 No.33</a>	1.12.2018	Amended (5) to change reference to new offences
s.81		<a href="#">1900 No.40</a>	31.10.1900	<u>Indecent assault on male with or without consent: 5 years</u>
	repealed	<a href="#">1984 No.7</a>	8.6.1984	Repealed

Section	Change	Amending Act	Commencement Date	Summary of Amendments
s.81A	inserted	<a href="#">1955 No.16</a>	14.4.1955	<i>Act of indecency on male in public place: 2 years</i>
	repealed	<a href="#">1984 No.7</a>	8.6.1984	Repealed
s.81B	inserted	<a href="#">1955 No.16</a>	14.4.1955	<i>Solicit or incite male in public to commit offences under ss.79, 81 or 81A: 12 months</i>
	repealed	<a href="#">1984 No.7</a>	8.6.1984	Repealed

**Crimes Act No.40 1900 – assented 31.10.1900**

**Amending Acts**

[Crimes \(Girls Protection\) Act](#) 1910 No.2 - assented 25.7.1910

[Crimes \(Girls Protection\) Act](#) 1911 No.21 - assented 21.12.1911

[Crimes \(Amendment\) Act](#) 1924 No.10 - assented 1.10.1924

[Crimes \(Amendment\) Act](#) 1951 No.31 - assented 6.11.1951

[Crimes \(Amendment\) Act](#) 1955 No.16 - assented 14.4.1955

[Crimes and Other Acts \(Amendment\) Act](#) 1974 No.50 - commenced 2.8.1974

[Crimes \(Sexual Assault\) Amendment Act](#) 1981 No.42 - commenced 14.7.1981

[Crimes \(Amendment\) Act](#) 1984 No.7 - commenced 8.6.1984

[Statute Law \(Miscellaneous Amendments\) Act](#) 1984 No.153 - commenced 10.12.1984

[Crimes \(Child Assault\) Amendment Act](#) 1985 No.149 - commenced 23.3.1986

[Statute Law \(Miscellaneous Provisions\) Act \(No.1\)](#) 1987 No.48 - commenced 1.9.1987

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[Crimes \(Personal and Family Violence\) Amendment Act](#) 1987 No.184 - commenced 21.2.1988

[Crimes \(Child Prostitution\) Amendment Act](#) 1988 No.115 - commenced 12.2.1989

[Crimes \(Life Sentences\) Amendment Act](#) 1989 No.218 - commenced 12.1.1990

[Crimes \(Amendment\) Act](#) 1989 No.198 - commenced 17.3.1991

[Criminal Legislation \(Amendment\) Act](#) 1992 No.2 - commenced 3.5.1992

[Criminal Legislation \(Amendment\) Act](#) 1995 No.23 - commenced 1.7.1995

[Transgender \(Anti-Discrimination and Other Acts Amendment\) Act](#) 1996 No.22 - commenced 1.10.1996

[Crimes Amendment \(Child Pornography\) Act](#) 1997 No.142 - commenced 25.1.1998

[Crimes Legislation Amendment Act](#) 1997 No.85 - commenced 30.3.1998

[Crimes Legislation Amendment \(Child Sexual Offences\) Act](#) 1998 No.131 - commenced 15.1.1999

[Crimes Legislation Amendment Act](#) 1999 No.40 - commenced 1.9.1999

[Crimes Legislation Amendment \(Sentencing\) Act](#) 1999 No.94 - commenced 1.1.2000

[Crimes Legislation Amendment Act](#) 2000 No.43 - commenced 31.7.2000

[Statute Law \(Miscellaneous Provisions\) Act](#) 2000 No.53 – commenced 29.6.2000

[Crimes Amendment \(Aggravated Sexual Assault in Company\) Act](#) 2001 No.62 - commenced 1.10.2001

[Crimes Amendment \(Sexual Servitude\) Act](#) 2001 No.99 - commenced 22.3.2002

[Crimes \(Sentencing Procedure\) Amendment \(Standard Minimum Sentencing\) Act](#) 2002 No.90 - commenced 1.2.2003

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[Crimes Amendment \(Sexual Offences\) Act](#) 2003 No.9 - commenced 13.6.2003

[Crimes Legislation Amendment Act](#) 2003 No.27 - commenced 8.7.2003

[Crimes Legislation Amendment Act](#) 2004 No.11 - commenced 24.3.2004

[Crimes Amendment Act](#) 2007 No.38 – Sch 1[7] and Sch 2 commenced 27.9.2007 / remainder of Sch 1 commenced 15.2.2008

[Crimes Amendment \(Consent – Sexual Assault Offences\) Act](#) 2007 No.66 - commenced 1.1.2008

[Crimes Amendment \(Sexual Procurement or Grooming of Children\) Act](#) 2007 No.74 - commenced 18.1.2008

[Crimes Amendment \(Cognitive Impairment – Sexual Offences\) Act](#) 2008 No.74 - commenced 1.12.2008

[Crimes Amendment \(Sexual Offences\) Act](#) 2008 No.105 - commenced 1.1.2009

[Criminal Legislation Amendment Act](#) 2009 No 27 - commenced 19.5.2009

[Crimes Amendment \(Fraud, Identity and Forgery Offences\) Act](#) 2009 No 99 - commenced 22.2.2010

[Crimes Amendment \(Child Pornography and Abuse Material\) Act](#) 2010 No 9 - commenced 17.9.2010

[Crimes Legislation Amendment Act](#) 2012 No.67 - commenced 24.9.2012

[Crimes Legislation Amendment Act](#) 2014 No 59 – commenced 23.10.2014

[Crimes Legislation Amendment \(Child Sex Offences\) Act](#) 2015 No. 13 – commenced 29.6.2015

[Justice Legislation Amendment Act](#) 2018 No.4 – commenced 21.3.2018

[Justice Legislation Amendment Act \(No 3\)](#) 2018 No 87 – commenced 28.11.2018

[Criminal Legislation Amendment \(Child Sexual Abuse\) Act](#) 2018 No.33 – commenced 1.12.2018

**This table has been produced by the Public Defenders – current as at June 2022**

[Justice Legislation Amendment Act](#) 2019 No.10 – commenced 26.9.2019

[Crimes Amendment \(Special Care Offences\) Act](#) 2020 No.11 – commenced 23.6.2020

[Crimes Legislation Amendment \(Sexual Consent Reforms\) Act](#) 2021 No.43 – commenced 1.6.2022

## **Transitional Provisions**

[Crimes Act Schedule 11](#)