

Time Chart – State Sexual Offences
(NSW) Crimes Act 1900: Division 10 – Division 10B

The following Table contains a list of all sexual offences, current and historical, under Division 10-10B, (NSW) *Crimes Act* 1900, with the period each offence was in force and the maximum penalty. Offences that are currently in force are highlighted in yellow. The information as to when offences were in force has been set out in chart form below.

For further details as to amendments to the statutory provisions see the document *Sexual Offences Legislative Changes*.

Offence	Section	Period in Force	Maximum Penalty
Inflicting GBH with intent to have sexual intercourse	s.61B	14.7.1981 – 17.3.1991	20 years
Inflict / threaten actual bodily harm with intent to have sexual intercourse	s.61C(1), (2)	14.7.1981 – 17.3.1991	12 years
Inflict / Threaten actual bodily harm with intent to have sexual intercourse in company	s.61C(3), (4)	21.2.1988 – 17.3.1991	14 years
Sexual intercourse without consent	s.61D(1)	14.7.1981 – 21.2.1988 21.2.1988 – 17.3.1991	7 years 8 years
Sexual intercourse without consent person under 16y	s.61D(1)	14.7.1981 – 17.3.1991	10 years
Sexual intercourse without consent person under 16y and under authority	s.61D(1A)	23.3.1986 – 17.3.1991	12 years
Sexual intercourse without consent in company	s.61D(1B)	21.2.1988 – 17.3.1991	10 years
Sexual intercourse without consent in company on person under 16y	s.61D(1B)	21.2.1988 – 17.3.1991	12 years
Sexual intercourse without consent in company person under 16y and under authority	s.61D(1C)	21.2.1988 – 17.3.1991	14 years
Indecent assault	s.61E(1)	14.7.1981 – 17.3.1991	4 years
Indecent assault on person under 16y	s.61E(1)	14.7.1981 – 23.3.1986	6 years
Indecent assault on person under 16y and under authority	s.61E(1A)	23.3.1986 – 17.3.1991	6 years
Indecent assault on person in company	s.61E(1B)	21.2.1988 – 17.3.1991	6 years
Indecent assault on person under 16y and under authority in company	s.61E(1C)	21.2.1988 – 17.3.1991	8 years
Act of indecency on person under 16y	s.61E(2)	14.7.1981 – 17.3.1991	2 years
Act of indecency on person under 16 and under authority	s.61E(2A)	23.3.1986 – 17.3.1991	4 years

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Offence	Section	Period in Force	Maximum Penalty
Attempt to commit offence under s.61B-61E	s.61F	14.7.1981 – 17.3.1991	Penalty for completed offence
Sexual intercourse without consent	s.61I	17.3.1991 - Active	14 years
Aggravated sexual assault	s.61J	17.3.1991 - Active	20 years
Aggravated sexual assault in company	s.61JA	1.10.2001 - Active	Life
Inflict / threaten actual bodily harm with intent to have sexual intercourse	s.61K	17.3.1991 - Active	20 years
Sexual touching without consent	s.61KC	1.12.2018 – Active	5 years
Aggravated sexual touching without consent	s.61KD	1.12.2018 – Active	7 years
Sexual act without consent	s.61KE	1.12.2018 – Active	18 months
Aggravated sexual act without consent	s.61KF	1.12.2018 – Active	3 years
Indecent assault	s.61L	17.3.1991 – 1.12.2018	5 years
Aggravated indecent assault (victim aged under 16y an aggravating factor)	s.61M(1)	17.3.1991 – 1.1.2009	7 years
Aggravated indecent assault (victim aged under 16y removed from aggravating factors)	s.61M(1)	1.1.2009 – 1.12.2018	7 years
Indecent assault on person under 10y	s.61M(2)	17.3.1991 – 1.1.2009	10 years
Indecent assault on person under 16y	s.61M(2)	1.1.2009 – 1.12.2018	10 years
Act of indecency on person under 16y	s.61N(1)	17.3.1991 – 1.12.2018	2 years
Act of indecency on person 16y or above	s.61N(2)	1.7.1995 – 1.12.2018	18 months
Aggravated act of indecency on person under 16y	s.61O(1)	17.3.1991 – 1.12.2018	5 years
Aggravated act of indecency on person 16y or above	s.61O(1A)	1.7.1995 – 1.12.2018	3 years
Act of indecency person under 10y	s.61O(2)	17.3.1991 – 1.12.2018	7 years
Act of indecency person under 16y filmed for child pornography	s.61O(2A)	1.1.2009 – 1.12.2018	10 years
Attempt commit offences under ss.61I-61O	s.61P	17.3.1991 – 1.12.2018	Penalty for completed offence
Rape	s.63	1900 – 14.4.1955 14.4.1955 - 14.7.1981	Death Life
Attempt rape	s.65	1900 - 14.7.1981	14 years
Procure intercourse by non-violent threats	s.65A	21.2.1988 – 1.1.2008	6 years

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Offence	Section	Period in Force	Maximum Penalty
Procure carnal knowledge by fraud or intoxicating drugs	s.66	1900 - 13.6.2003	14 years
Sexual intercourse child under 10y	s.66A	23.3.1986–1.2.2003 1.2.2003 - 1.1.2009	20 years 25 years
Sexual intercourse child under 10y	s.66A(1)	1.1.2009 - 29.6.2015	25 years
Aggravated sexual intercourse with child under 10y	s.66A(2)	1.1.2009 – 29.6.2015	Life
Sexual intercourse child under 10y	s.66A	29.6.2015 - Active	Life
Attempts to have sexual intercourse child under 10y	s.66B	23.3.1986–1.2.2003 1.2.2003 - Active	20 years 25 years
Sexual intercourse with child between 10y and 16y	s.66C(1)	23.3.1986 - 13.6.2003	8 years
Sexual intercourse with child between 10y and 14y	s.66C(1)	13.6.2003 - Active	16 years
Sexual intercourse with child between 10y and 16y and under authority	s.66C(2)	23.3.1986 – 13.6.2003	10 years
Aggravated sexual intercourse with child between 10y and 14y	s.66C(2)	13.6.2003 - Active	20 years
Sexual intercourse with child of or above 14y and below 16y	s.66C(3)	13.6.2003 - Active	10 years
Aggravated sexual intercourse with child of or above 14y and below 16y	s.66C(4)	13.6.2003 - Active	12 years
Attempt sexual intercourse under s.66C	s.66D	23.3.1986 – 1.12.2018	Penalty under s.66C
Assault with intent to commit offence under s.66C	s.66D	1.12.2018 - Active	Penalty under s.66C
Sexual touching child under 10y	s.66DA	1.12.2018 – Active	16 years
Sexual touching child 10-16y	s.66DB	1.12.2018 – Active	10 years
Sexual act child under 10y	s.66DC	1.12.2018 – Active	7 years
Sexual act child 10-16y	s.66DD	1.12.2018 – Active	2 years
Aggravated sexual act child 10-16y	s.66DE	1.12.2018 – Active	5 years
Sexual act for production of child abuse material – child under 16	s.66DF	1.12.2018 – Active	10 years
Persistent sexual abuse of child	s.66EA	15.1.1999 – 1.12.2018	25 years
Persistent sexual abuse of child (elements of offence changed)	s.66EA	1.12.2018 – Active	Life
Procuring child under 16 years for unlawful sexual activity	s.66EB(2)	18.1.2008 - Active	12 years – 15 years if child under 14y
Meeting child following grooming	s.66EB(2A)	1.1.2009 - Active	12 years – 15 years if child under 14y
Grooming child under 16 years for unlawful sexual activity	s.66EB(3)	18.1.2008 - Active	10 years – 12 years if child under 14y

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Offence	Section	Period in Force	Maximum Penalty
Grooming person for unlawful sexual activity with a child under person's authority	s.66EC	1.12.2018 – Active	5 years – 6 years if child under 14y
Sexual intercourse with person with person with intellectual disability and under authority	s.66F(2)	21.2.1988 – 1.12.2008	10 years
Sexual intercourse with person with person with intellectual disability	s.66F(3)	21.2.1988 – 1.12.2008	8 years
Sexual intercourse with person with person with cognitive impairment and under authority	s.66F(2)	1.12.2008 - Active	10 years
Sexual intercourse with person with person with cognitive impairment	s.66F(3)	1.12.2008 - Active	8 years
Carnal knowledge girl under 10y	s.67	1900 – 14.4.1955 14.4.1955 - 23.3.1986	Death Life
Attempt carnal knowledge girl under 10y	s.68	1900 - 23.3.1986	14 years
Carnal knowledge of girl between 10y and 14y	s.71	1900 - 1.10.1924	10 years
Carnal knowledge of girl between 10y and 16y	s.71	1.10.1924 - 23.3.1986	10 years
Attempted carnal knowledge of girl between 10y and 14y	s.72	1900 - 1.10.1924	5 years
Attempted carnal knowledge of girl between 10y and 16y	s.72	1.10.1924 – 23.3.1986	5 years
Carnal knowledge of idiot or imbecile	s.72A	1.10.1924 – 21.2.1988	5 years
Carnal knowledge by teacher / father of girl between 10y –16y	s.73	1900 - 1.10.1924	14 years
Carnal knowledge by teacher / father of girl between 10y –17y	s.73	1.10.1924 –23.3.1986	14 years
Carnal knowledge by teacher / father of girl 16y	s.73	23.3.1986 – 13.6.2003	8 years
Sexual intercourse with person of 16y and under 17y and under special care	s.73(1)	13.6.2003 - Active	8 years
Sexual intercourse with person aged of 17y and under 18y and under special care	s.73(2)	13.6.2003 - Active	4 years
Sexual touching – young person of 16 and under 17y and under special care	s.73A(1)	1.12.2018 – Active	4 years
Sexual touching – young person of 17y and under 18y and under special care	s.73A(1)	1.12.2018 – Active	2 years
Attempt carnal knowledge by teacher / father of girl between 10y – 16y	s.74	1900 - 1.10.1924	7 years
Attempt carnal knowledge by teacher / father of girl between 10y – 17y	s.74	1.10.1924 –23.3.1986	7 years
Attempt carnal knowledge by teacher / father of girl 16y	s.74	23.3.1986 – 13.6.2003	8 years
Indecent assault on female	s.76	1.10.1924 – 2.8.1974 2.8.1974 - 14.7.1981	3 years 4 years
Indecent assault on female under 16y	s.76	1.10.1924 – 2.8.1974 2.8.1974 - 14.7.1981	5 years 6 years
Commit act of indecency female under 16y	s.76A	2.8.1974 – 14.7.1981	2 years
Indecent assault on female under 14y	s.77	1900 – 1.10.1924	5 years

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Offence	Section	Period in Force	Maximum Penalty
Indecent assault on female of or above 14y	s.78	1900 – 1.10.1924	3 years
Incest	s.78A	1.10.1924 – 13.6.2003	7 years
Incest	s.78A	13.6.2003 - Active	8 years
Attempted incest	s.78B	1.10.1924 - Active	2 years
Homosexual intercourse male under 10y	s.78H	8.6.1984 – 12.1.1990 12.1.1990 - 1.2.2003	Life 25 years
Attempt homosexual intercourse male under 10y	s.78I	8.6.1984 – 1.2.2003	14 years
Homosexual intercourse with male between 10y and 18y	s.78K	8.6.1984 – 13.6.2003	10 years
Attempt homosexual intercourse with male between 10y and 18y	s.78L	8.6.1984 – 13.6.2003	5 years
Homosexual intercourse with male imbecile or idiot	s.78M	8.6.1984 – 21.2.1988	5 years
Homosexual intercourse by teacher or father on male between 10y and 18y	s.78N	8.6.1984 – 13.6.2003	14 years
Attempt homosexual intercourse by teacher or father on male between 10y and 18y	s.78O	8.6.1984 – 13.6.2003	7 years
Act of gross indecency with male under 18y	s.78Q	8.6.1984 – 13.6.2003	2 years
Buggery and bestiality	s.79	1900 – 1.10.1924 1.10.1924 - 8.6.1984	Life 14 years
Bestiality	s.79	8.6.1984 - Active	14 years
Attempt buggery or bestiality	s.80	1900 - 8.6.1984	5 years
Attempt bestiality	s.80	8.6.1984 - Active	5 years
Sexual assault by forced self-manipulation	s.80A(2)	17.3.1991 - Active	14 years
Sexual assault by forced self-manipulation on person under 10y	s.80A(2)	17.3.1991 – 24.3.2004	20 years
Aggravated sexual assault by forced self-manipulation	s.80A(2A)	24.3.2004 – Active	20 years
Causing sexual servitude	s.80D(1)	22.3.2002 - Active	15 years
Aggravated causing sexual servitude	s.80D(2)	22.3.2002 – 1.1.2009 1.1.2009 - Active	19 years 20 years
Conduct business of sexual servitude	s.80E(1)	22.3.2002 - Active	15 years
Aggravated conduct business of sexual servitude	s.80E(2)	22.3.2002 - Active	19 years
Incite sexual offence	s.80G	1.1.2009 – Active	Penalty for completed offence
Indecent assault on male	s.81	1900 - 8.6.1984	5 years
Act of indecency with another male	s.81A	14.4.1955 – 8.6.1984	2 years

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Offence	Section	Period in Force	Maximum Penalty
Solicit act of indecency with another male	s.81B	14.4.1955 – 8.6.1984	12 months

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Sexual Offences

(NSW) Crimes Act 1900: Division 10 – Division 10B

The table sets out the period in force of sexual offences contained in Division 10-10B, (NSW) *Crimes Act* 1900

The red highlight indicates the period the offence is in force – ie s.61B in force from 14.7.1981-17.3.1991

	1900	1.10.1924	14.4.1955	2.8.1974	14.7.1981	8.6.1984	23.3.1986	21.2.1988	17.3.1991	1.7.1995	15.1.1999	1.10.2001	22.3.2002	1.2.2003	13.6.2003	24.3.2004	1.1.2008	18.1.2008	1.1.2009	29.6.2015	1.12.2018	
s.61B																						
s.61C(1)																						
s.61C(2)																						
s.61C(3)																						
s.61C(4)																						
s.61D(1)																						
s.61D(1A)																						
s.61D(1B)																						
s.61D(1C)																						
s.61E(1)																						
s.61E(1) (victim under 16y)																						
s.61E(1A)																						
s.61E(1B)																						
s.61E(1C)																						
s.61E(2)																						
s.61E(2A)																						
s.61F																						
s.61I																						

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	1900	1.10.1924	14.4.1955	2.8.1974	14.7.1981	8.6.1984	23.3.1986	21.2.1988	17.3.1991	1.7.1995	15.1.1999	1.10.2001	22.3.2002	1.2.2003	13.6.2003	24.3.2004	1.1.2008	18.1.2008	1.1.2009	29.6.2015	1.12.2018	
s.61J																						
s.61JA																						
s.61K																						
s.61KC																						
s.61KD																						
s.61KE																						
s.61KF																						
s.61L																						
s.61M(1)																						
s.61M(1)																						
s.61M(2) (victim under 10y)																						
s.61M(2) (victim under 16y)																						
s.61N(1)																						
s.61N(2)																						
s.61O(1)																						
s.61O(1A)																						
s.61O(2)																						
s.61O(2A)																						
s.61P																						
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s.65A																						
s.66																						
s.66A																						
s.66A(1)																						
s.66A(2)																						

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	1900	1.10.1924	14.4.1955	2.8.1974	14.7.1981	8.6.1984	23.3.1986	21.2.1988	17.3.1991	1.7.1995	15.1.1999	1.10.2001	22.3.2002	1.2.2003	13.6.2003	24.3.2004	1.1.2008	18.1.2008	1.1.2009	29.6.2015	1.12.2018	
s.66A																						
s.66B																						
s.66C(1)																						
s.66C(1)																						
s.66C(2)																						
s.66C(2)																						
s.66C(3)																						
s.66C(4)																						
s.66D																						
s.66D – (reworded)																						
s.66DA																						
s.66DB																						
s.66DC																						
s.66DD																						
s.66DE																						
s.66DF																						
s.66EA																						
s.66EA (reworded)																						
s.66EB(2)																						
s.66EB(2A)																						
s.66EB(3)																						
s.66EC																						
s.66F(2)																						
s.66F(3)																						
s.67																						
s.68																						

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	1900	1.10.1924	14.4.1955	2.8.1974	14.7.1981	8.6.1984	23.3.1986	21.2.1988	17.3.1991	1.7.1995	15.1.1999	1.10.2001	22.3.2002	1.2.2003	13.6.2003	24.3.2004	1.1.2008	18.1.2008	1.1.2009	29.6.2015	1.12.2018	
s.71 (victim 10-14y)	Red																					
s.71 (victim 10-16y)		Red	Red	Red	Red	Red																
s.72 (victim 10-14y)	Red																					
s.72 (victim 10-16y)		Red	Red	Red	Red	Red																
s.72A		Red	Red	Red	Red	Red	Red															
s.73 (victim 10-16y)	Red																					
s.73 (victim 10-17y)		Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red								
s.73(1)															Red	Red	Red	Red	Red	Red	Red	Red
s.73(2)															Red	Red	Red	Red	Red	Red	Red	Red
s.73A																						Red
s.74 (victim 10-16)	Red																					
s.74 (victim 10-17)		Red	Red	Red	Red	Red																
s.74 (victim 16)							Red	Red	Red	Red	Red	Red	Red	Red								
s.76		Red	Red	Red																		
s.76A				Red																		
s.77	Red																					
s.78	Red																					
s.78A		Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red
s.78B		Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red
s.78H						Red	Red	Red	Red	Red	Red	Red	Red									
s.78I						Red	Red	Red	Red	Red	Red	Red	Red									

These tables have been produced by the Public Defenders – current at April 2020

	1900	1.10.1924	14.4.1955	2.8.1974	14.7.1981	8.6.1984	23.3.1986	21.2.1988	17.3.1991	1.7.1995	15.1.1999	1.10.2001	22.3.2002	1.2.2003	13.6.2003	24.3.2004	1.1.2008	18.1.2008	1.1.2009	29.6.2015	1.12.2018	
s.78K																						
s.78L																						
s.78M																						
s.78N																						
s.78O																						
s.78Q																						
s.79																						
s.79 (buggery removed)																						
s.80																						
s.80 (buggery removed)																						
s.80A(2)																						
s.80A(2) (victim under 10y)																						
s.80A(2A)																						
s.80D(1)																						
s.80D(2)																						
s.80E(1)																						
s.80E(2)																						
s.80G																						
s.81																						
s.81A																						
s.81B																						