



ANALYSIS

Title	2. Sexual intercourse with severely subnormal woman or girl
1. Short Title and commencement	3. Consequential amendment

1969, No. 73

An Act to amend the Crimes Act 1961

[23 October 1969]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Crimes Amendment Act 1969, and shall be read together with and deemed part of the Crimes Act 1961 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of April 1970.

2. Sexual intercourse with severely subnormal woman or girl—The principal Act is hereby amended by repealing section 138, and substituting the following section:

“138. (1) Every one is liable to imprisonment for a term not exceeding 7 years who has or attempts to have sexual intercourse with any woman or girl who is severely subnormal, if he knows or has good reason to believe that she is severely subnormal.

“(2) For the purposes of this section, a woman or girl is severely subnormal if she is mentally subnormal, within the meaning of the Mental Health Act 1969, to the extent that she is incapable of living an independent life or of guarding herself against serious exploitation or common physical dangers.”

3. Consequential amendment—Part I of the First Schedule to the Summary Proceedings Act 1957 (as substituted by section 4 (1) (h) of the Summary Proceedings Amendment Act 1961) is hereby amended by omitting from the second column the words “idiot or imbecile”, where they appear opposite the reference in the first column to section 138 of the Crimes Act 1961, and substituting the words “severely subnormal”.

This Act is administered in the Department of Justice.
