



REPUBLIC OF SOUTH AFRICA  
**GOVERNMENT GAZETTE**

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**STAATSKOERANT**  
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DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 821.

21st May, 1969.

No. 821.

21 Mei 1969.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 57 of 1969: Immorality Amendment Act, 1969.

No. 57 van 1969: Ontugwysigingswet, 1969.

Act No. 57, 1969

IMMORALITY AMENDMENT ACT, 1969.

# ACT

To amend the provisions of the Immorality Act, 1957, with regard to the commission of offences with girls or boys; to prohibit the manufacture, sale or supply of any article which is intended to be used to perform an unnatural sexual act; to make provision in the said Act for a prohibition on the commission at a party of acts between male persons and which are calculated to stimulate sexual passion or to give sexual gratification; and to repeal section 10 of Act No. 22 of 1898 of Natal.

(*Afrikaans text signed by the State President.*)  
(*Assented to 9th May, 1969.*)

**BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Substitution of section 14 of Act 23 of 1957.

1. The following section is hereby substituted for section 14 of the Immorality Act, 1957 (hereinafter referred to as the principal Act):

- “Sexual offences with girls under sixteen or boys under nineteen.
14. (1) Any male person who—
- (a) has or attempts to have unlawful carnal intercourse with a girl under the age of sixteen years; or
  - (b) commits or attempts to commit with such a girl or with a boy under the age of nineteen years an immoral or indecent act; or
  - (c) solicits or entices such a girl or boy to the commission of an immoral or indecent act, shall be guilty of an offence.
- (2) It shall be a sufficient defence to any charge under this section if it shall be made to appear to the court—
- (a) that the girl at the time of the commission of the offence was a prostitute, that the person so charged was at the said time under the age of twenty-one years and that it is the first occasion on which he is so charged; or
  - (b) that the person so charged was at the said time under the age of sixteen years if the offence was committed in respect of a girl; or
  - (bA) that the person so charged was at the said time under the age of nineteen years if the offence was committed in respect of a boy; or
  - (c) that the girl or person in whose charge she was, deceived the person so charged into believing that she was over the age of sixteen years at the said time.”

## Act No. 57, 1969

## IMMORALITY AMENDMENT ACT, 1969.

Insertion of section 18A in Act 23 of 1957.

2. The following section is hereby inserted in the principal Act after section 18:

“Manu- 18A. (1) Any person who manufactures, sells  
 facture, sale or supplies any article which is intended to be used  
 or supply of to perform an unnatural sexual act, shall be guilty  
 article which of an offence.  
 is intended (2) For the purposes of subsection (1), ‘sell’  
 to be used includes to offer for sale, to keep for sale or to keep  
 to perform an un- in a place where goods are sold, offered or kept for  
 natural sexual act. sale.”.

Insertion of section 20A in Act 23 of 1957.

3. The following section is hereby inserted in the principal Act after section 20:

“Acts 20A. (1) A male person who commits with  
 committed another male person at a party any act which is  
 between men calculated to stimulate sexual passion or to give  
 at a party sexual gratification, shall be guilty of an offence.  
 and which are calculated (2) For the purposes of subsection (1) ‘a party’  
 to stimulate sexual means any occasion where more than two persons  
 passion or are present.  
 to give (3) The provisions of subsection (1) do not  
 sexual gratification, derogate from the common law, any other provision  
 prohibited. of this Act or a provision of any other law.”.

Amendment of section 22 of Act 23 of 1957, as substituted by section 4 of Act 68 of 1967.

4. Section 22 of the principal Act is hereby amended by the substitution for paragraph (g) of the following paragraph:

“(g) in the case of an offence referred to in section 18A, 19, 20 (1) (b) or (c), or 20A (1), to a fine not exceeding four hundred rand or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.”.

Repeal of section 10 of Act 22 of 1898 (Natal).

5. Section 10 of the Act “To amend the law relative to the trial and punishment of the Crimes of Rape and Indecent Assault and Conduct” (Act No. 22 of 1898 (Natal)), is hereby repealed.

Short title.

6. This Act shall be called the Immorality Amendment Act 1969.