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GOVERNMENT GAZETTE

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 413.

4 Maart 1988

No. 413.

4 March 1988

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

No. 2 van 1988: Ontugwysigingswet, 1988.

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

No. 2 of 1988: Immorality Amendment Act, 1988.

Wet No. 2, 1988

ONTUGWYSIGINGSWET, 1988

ALGEMENE VERDUIDELIKENDE NOTA:

- I** Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordnings aan.
-
- Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordnings aan.
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WET

Tot wysiging van die Ontugwet, 1957, ten einde sekere verouderde uitdrukings reg te stel; die maksimum boetes wat vir sekere oortredings ingevolge genoemde Wet opgelê kan word, te verhoog; die verbod op 'n ouer of voog om die ontoring van sy dogter te bewerkstellig, uit te brei sodat dit ten opsigte van al sy kinders geld, en 'n vermoede in hierdie verband te skep; ander voorsiening te maak in verband met die misdryf van hulp vir doeleinades van ontug, en die daarmee gepaardgaande vermoede; die bepalings met betrekking tot seksuele misdrywe deur 'n manspersoon met jeugdiges aan te pas en uit te brei sodat hulle ook op 'n vrouspersoon van toepassing is; die verbod op seksuele dade met vroulike idioote of swaksinniges uit te brei sodat dit ook ten opsigte van manlike idioote of swaksinniges geld; en dit 'n misdryf te maak vir 'n persoon om ontug of 'n onsedelike daad met 'n ander persoon teen vergoeding te pleeg; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 25 Februarie 1988.)

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 23 van 1957, soos gewysig deur artikel 1 van Wet 72 van 1985.

Wysiging van artikel 8 van Wet 23 van 1957, soos gewysig deur artikel 1 van Wet 68 van 1967.

1. Artikel 1 van die Ontugwet, 1957 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van "hof" deur die volgende omskrywing te vervang:
"hof", die hof [**of jurie**] wat die aanklag verhoor;" 5
2. Artikel 8 van die Hoofwet word hierby gewysig—
(a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
"As dit aan 'n [**magistraat**] landdros blyk uit beëdigde 10 inligting wat aan hom voorgelê is deur minstens twee huisbewoners van goeie aansien dat 'n huis of plek in die buurt van die woonhuise van daardie huisbewoners as 'n bordeel gehou of gebruik word of uit dergelike inligting wat onder eed aan hom 15 voorgelê is deur 'n polisiebeampte van nie benede die rang van sersant nie, of deur 'n welsynsbeampte in diens van [**die Departement van Volks-welsyn**] 'n Staatsdepartement verantwoordelik vir Gesondheid en Welsyn, 'n plaaslike bestuur of 'n 20 kragtens die [**Wet op Welsynsorganisasies, 1947 (Wet No. 40 van 1947)**] Nasionale Welsynswet, 1978 (**Wet No. 100 van 1978**), geregistreerde welsynsorganisasie, kan die [**magistraat**] landdros—"; 15

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GENERAL EXPLANATORY NOTE:

- I** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with solid line indicate insertions in existing enactments.
-
-

ACT

To amend the Immorality Act, 1957, so as to rectify certain obsolete expressions; to increase the maximum fines which may be imposed for certain contraventions in terms of the said Act; to extend the prohibition on a parent or guardian from procuring the defilement of his daughter so that it shall apply in respect of all his children, and to create a presumption in this connection; to make other provision in connection with the offence of assistance for the purposes of unlawful carnal intercourse, and the presumption concomitant therewith; to adapt and extend the provisions relating to sexual offences by a male with youths so that they shall also apply to a female; to extend the prohibition of sexual acts with female idiots or imbeciles so that it shall also apply in respect of male idiots or imbeciles; and to make it an offence for a person to have unlawful carnal intercourse, or to commit an act of indecency, with any other person for reward; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 25 February 1988.)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

1. Section 1 of the Immorality Act, 1957 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "court" of the following definition:
- "court" means the court [or jury] before [whom] which the charge is brought;".
- 10 2. Section 8 of the principal Act is hereby amended—
- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:
- "If it appears to any magistrate on sworn information laid before him by not less than two householders of good repute that any house or place in the vicinity of the dwellings of such householders is being kept or used as a brothel or on similar information upon oath laid before him by any police officer not below the rank of sergeant, or by a welfare officer employed by [the Department of Social Welfare] a department of State responsible for Health and Welfare, a local authority or a welfare organization registered under the [Welfare Organizations Act, 1947 (Act No. 40 of 1947)] National Welfare Act, 1978 (Act No. 100 of 1978), the magistrate may—";
- 15
- 20
- Amendment of section 1 of Act 23 of 1957, as amended by section 1 of Act 72 of 1985.
- Amendment of section 8 of Act 23 of 1957, as amended by section 1 of Act 68 of 1967.

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- (b) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Iemand wat in of op bedoelde huis of plek gevind word en wat, wanneer hy deur die polisiebeampete wat die huissoeking uitvoer, versoek word om sulks te doen, weier om sy naam en adres te verskaf of ‘n naam of adres verskaf wat in ‘n wesenslike besonderheid vals is, of weier om die naam of identiteit van die houer van die huis of plek te openbaar of om ‘n boek, kwitansie, papier, dokument of ding wat hy in sy besit of bewaring of onder sy beheer het, voor te lê, is aan ‘n misdryf skuldig en by skuldigbevinding strafbaar met ‘n boete van hoogstens **[tweehonderd rand]** R1 000 en by wanbetalig met gevangenisstraf vir ‘n tydperk van hoogstens ses maande.”; en

- (c) deur in subartikel (3) die woord “magistraat” deur die woord “landdros” te vervang.

Wysiging van artikel 9 van Wet 23 van 1957.

3. Artikel 9 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikels te vervang:

“(1) Iemand wat ‘n ouer of voog van ‘n **[vrouspersoon]** kind onder die ouderdom van 18 jaar is en wat—

(a) sodanige **[vrouspersoon]** kind toelaat, verkry of probeer verkry om ontug of ‘n onsedelike of onbeoorlike daad te pleeg met ‘n ander persoon as die koppelaar, of om in ‘n bordeel te woon of dit te besoek; of

(b) die ontering, verleiding of prostitusie van sodanige **[vrouspersoon]** kind beveel of toelaat, of op enige manier help om dit te bewerkstellig, of enige vergoeding daarvoor ontvang, is aan ‘n misdryf skuldig.

(1A) By die toepassing van subartikel (1) (b) word ‘n ouer of voog wie se kind onteer of verlei is of ‘n prostituut geword het, geag daardie ontering, verleiding of prostitusie te help bewerkstellig het indien hy wetens toegelaat het dat sy kind omgaan met, of in diens bly van, ‘n prostituut of iemand met ‘n onsedelike reputasie.”; en

- (b) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Die uitdrukking ‘voog’ in hierdie artikel beteken ook iemand wat die wetlike of feitelike bewaring van of beheer oor die **[vrouspersoon]** kind het.”.

Wysiging van artikel 12A van Wet 23 van 1957, soos ingevoeg deur artikel 2 van Wet 68 van 1967.

4. Artikel 12A van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Iemand wat, met die opset of terwyl hy redelikerwys die moontlikheid moes voorsien het dat ‘n **[manspersoon]** persoon met ‘n **[vrouspersoon]**, hetsy ‘n bepaalde vrouspersoon al dan nie ander persoon ontug of ‘n onsedelike daad teen vergoeding kan pleeg, enige handeling teen vergoeding verrig **[of enigets doen of enige inligting verstrek]** wat bereken is om bedoelde **[manspersoon]** ander persoon in staat te stel **[of bedoelde manspersoon waarskynlik in staat sal stel]** om met so ‘n **[vrouspersoon]** persoon in verbinding te tree, **[of haar verblyfplek vas te stel of haar op te spoor]** is aan ‘n misdryf skuldig.”; en

- (b) deur subartikel (2) te skrap.

Vervanging van artikel 14 van Wet 23 van 1957.

5. Artikel 14 van die Hoofwet word hierby deur die volgende artikel vervang:

“Seksuele misdrywe met jeugdiges.

14. (1) Enige manspersoon wat—

(a) ontug met ‘n meisie onder die ouderdom van **[sestien]** 16 jaar pleeg of probeer pleeg; of

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- (b) by the substitution for subsection (2) of the following subsection:
- “(2) Any person found in or upon such house or place who, when called upon to do so by the police officer conducting the search, refuses to furnish his name and address or furnishes a name or address which is false in any material particular or refuses to disclose the name or identity of the keeper of such house or place or to produce any book, receipt, paper, document or thing which he has in his possession or custody or under his control, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding [two hundred rand] R1 000 and in default of payment to imprisonment for a period not exceeding six months.”; and
- (c) by the substitution in the Afrikaans text of subsection (3) for the word “magistraat” of the word “landdros”.
3. Section 9 of the principal Act is hereby amended—
- (a) by the substitution for subsection (1) of the following subsections:
- “(1) Any person who, being a parent or guardian of any [female] child under the age of 18 years—
- (a) permits, procures or attempts to procure such [female] child to have unlawful carnal intercourse, or to commit any immoral or indecent act, with any person other than the procurer, or to reside in or to frequent a brothel; or
- (b) orders, permits, or in any way assists in bringing about, or receives any consideration for, the defilement, seduction or prostitution of such [female] child,
- shall be guilty of an offence.
- (1A) For the purposes of subsection (1) (b) a parent or guardian whose child has been defiled or seduced or has become a prostitute, shall be deemed to have assisted in bringing about that defilement, seduction or prostitution if he has knowingly permitted his child to consort with, or to continue in the employment of, a prostitute or a person with an immoral reputation.”; and
- (b) by the substitution for subsection (2) of the following subsection:
- “(2) The term ‘guardian’ in this section includes any person who has in law or in fact the custody or control of the [female] child.”.
4. Section 12A of the principal Act is hereby amended—
- (a) by the substitution for subsection (1) of the following subsection:
- “(1) Any person who, with intent or while he reasonably ought to have foreseen the possibility that any [female, whether a particular female or not, be unlawfully carnally known by any male] person may have unlawful carnal intercourse, or commit an act of indecency, with any other person for reward, performs for reward any act [or does anything or furnishes any information] which is calculated [or likely] to enable such [male] other person to communicate with [or to establish the whereabouts of or to trace] any such [female] person, shall be guilty of an offence.”; and
- (b) by the deletion of subsection (2).
5. The following section is hereby substituted for section 14 of the principal Act:

“Sexual offences with youths.

14. (1) Any male person who—

- (a) has or attempts to have unlawful carnal intercourse with a girl under the age of [sixteen] 16 years; or

Amendment of
section 9 of
Act 23 of 1957.

Amendment of
section 12A of
Act 23 of 1957,
as inserted by
section 2 of
Act 68 of 1967.

Substitution of
section 14 of
Act 23 of 1957.

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- (b) 'n onsedelike of onbehoorlike daad met so 'n meisie of met 'n seun onder die ouderdom van **[negentien]** 19 jaar pleeg of probeer pleeg; of
- (c) so 'n meisie of seun uitlok of aanlok om 'n onsedelike of onbehoorlike daad te pleeg,
is aan 'n misdryf skuldig.
- (2) Dit is 'n voldoende verweer teen 'n aanklag in gevvolge **[hierdie artikel]** subartikel (1) wanneer aan die hof blyk—
- (a) dat die meisie ten tyde van die pleeg van die misdryf 'n prostitoot was, dat die aldus aangeklaagde persoon op bedoelde tydstip onder die ouderdom van **[een-en-twintig]** 21 jaar was en dat dit die eerste geleenthed is waarop hy aldus aangekla is; of
- (b) dat die aldus aangeklaagde persoon op bedoelde tydstip onder die ouderdom van sestien jaar was indien die oortreding ten opsigte van 'n meisie gepleeg is; of
- (bA) dat die aldus aangeklaagde persoon op bedoelde tydstip onder die ouderdom van negentien jaar was indien die oortreding ten opsigte van 'n seun gepleeg is; of
- (c) dat die meisie of persoon in wie se sorg sy was die aldus aangeklaagde persoon mislei het deur hom te laat glo dat sy op bedoelde tydstip bo die ouderdom van **[sestien]** 16 jaar was.
- (3) Enige vrouspersoon wat—
- (a) ontug met 'n seun onder die ouderdom van 16 jaar pleeg of probeer pleeg; of
- (b) 'n onsedelike of onbehoorlike daad met so 'n seun of met 'n meisie onder die ouderdom van 19 jaar pleeg of probeer pleeg; of
- (c) so 'n seun of meisie uitlok of aanlok om 'n onsedelike of onbehoorlike daad te pleeg,
is aan 'n misdryf skuldig.
- (4) Dit is 'n voldoende verweer teen 'n aanklag in gevvolge subartikel (3) wanneer aan die hof blyk—
- (a) dat die seun ten tyde van die pleeg van die misdryf 'n prostitoot was, dat die aldus aangeklaagde persoon op bedoelde tydstip onder die ouderdom van 21 jaar was en dat dit die eerste geleenthed is waarop sy aldus aangekla is; of
- (b) dat die seun of persoon in wie se sorg hy was die aldus aangeklaagde persoon mislei het deur haar te laat glo dat hy op bedoelde tydstip bo die ouderdom van 16 jaar was.”.

Vervanging van
artikel 15 van
Wet 23 van 1957.

6. Artikel 15 van die Hoofwet word hierby deur die volgende artikel vervang:

- “Seksuele
misdrywe
met idioote of
swaksinniges.
15. Iemand wat—
- (a) met 'n manlike of vroulike idioot of swaksinnige ontug pleeg of probeer pleeg in omstandighede wat nie op verkragting neerkom nie; of
- (b) met so 'n manspersoon of vrouspersoon 'n onsedelike of onbehoorlike daad pleeg of probeer pleeg; of
- (c) so 'n manspersoon of vrouspersoon uitlok of aanlok om 'n onsedelike of onbehoorlike daad te pleeg,
is, wanneer bewys word dat daardie persoon geweet het dat die manspersoon of vrouspersoon 'n idioot of swaksinnige was, aan 'n misdryf skuldig.”.

Wysiging van
artikel 20 van
Wet 23 van 1957.

7. Artikel 20 van die Hoofwet word hierby gewysig—
- (a) deur na paragraaf (a) van subartikel (1) die volgende paragraaf in te voeg:

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- (b) commits or attempts to commit with such a girl or with a boy under the age of **[nineteen]** 19 years an immoral or indecent act; or
 5 (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]** subsection (1) if it shall be made to appear to the court—
 10 (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]** 21 years and that it is the first occasion on which he is so charged; or
 15 **[(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
 20 **(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
 25 (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]** 16 years at the said time.
 (3) Any female who—
 30 (a) has or attempts to have unlawful carnal intercourse with a boy under the age of 16 years; or
 (b) commits or attempts to commit with such a boy or with a girl under the age of 19 years an immoral or indecent act; or
 35 (c) solicits or entices such a boy or girl to the commission of an immoral or indecent act, shall be guilty of an offence.
 40 (4) It shall be a sufficient defence to any charge under subsection (3) if it shall be made to appear to the court—
 45 (a) that the boy 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 21 years and that it is the first occasion on which she is so charged; or
 (b) that the boy or person in whose charge he was, deceived the person so charged into believing that he was over the age of 16 years at the said time.”.

6. The following section is hereby substituted for section 15 of Substitution of
the principal Act:
section 15 of
Act 23 of 1957.

- “Sexual offences with
50 idiots or im-
beciles.
15. Any person who—
 (a) has or attempts to have unlawful carnal intercourse with any male or female idiot or imbecile in circumstances which do not amount to rape; or
 (b) commits or attempts to commit with such a male or female any immoral or indecent act; or
 55 (c) solicits or entices such a male or female to the commission of any immoral or indecent act, shall, if it be proved that such person knew that such male or female was an idiot or imbecile, be guilty of an offence.”.

60 7. Section 20 of the principal Act is hereby amended—

- (a) by the insertion after paragraph (a) of subsection (1) of the following paragraph:

Amendment of
section 20 of
Act 23 of 1957.

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"(aA) ontug of 'n onsedelike daad met 'n ander persoon teen vergoeding pleeg; of"; en

- (b) deur subartikel (2) deur die volgende subartikel te vervang:

"(2) As dit aan 'n **[magistraat]** **landdros** uit inligting onder eed blyk dat daar rede is om te vermoed dat 'n huis **[deur 'n vrouspersoon]** vir doekeleindes van prostitusie gebruik word en dat 'n persoon wat by die huis inwoon of dit dikwels besoek heeltemal of gedeeltelik van die ontvangste van **[die prostituit]** **prostitusie** leef, kan die **[magistraat]** **landdros** 'n lasbrief uitreik wat 'n polisiebeampte van nie benede die rang van sersant nie, magtig om die huis te betree en te deursoek en om daardie persoon in hegenis te neem."

Wysiging van artikel 21 van Wet 23 van 1957, soos gewysig deur artikel 3 van Wet 68 van 1967 en artikel 3 van Wet 72 van 1985.

8. Artikel 21 van die Hoofwet word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang:

"(4) Wanneer by 'n vervolging weens 'n misdryf ingevolge artikel 12A bewys word—

- (a) dat die beskuldigde 'n handeling teen vergoeding verrig [of enigiets gedoen of enige inligting verstrek] het wat bereken was om **['n manspersoon]** 'n persoon in staat te stel **[of 'n manspersoon waarskynlik in staat sou gestel het]** om met 'n **[vrouspersoon]** ander persoon wat **[na die beskuldigde rede gehad het om te vermoed]** 'n prostituit is, in verbinding te tree **[of om haar verblyfplek vas te stel of om haar op te spoor]**; of

- (b) dat die ander persoon met wie as gevolg van bedoelde handeling in verbinding getree is ontug of 'n onsedelike daad met sodanige persoon teen vergoeding gepleeg het,

word die beskuldigde geag bedoelde handeling te verrig het **[of bedoelde iets te gedoen het of bedoelde inligting te verstrek, het, na gelang van die geval]** met die opset **[om]** **of ter wyl hy redelikerwys die moontlikheid moes voorsien het dat sodanige [manspersoon] ander persoon [in staat te stel om ontug of 'n onsedelike daad teen vergoeding met sodanige [vrouspersoon] persoon [te] kan pleeg tensy die teendeel bo redelike twyfel bewys word.]**

Wysiging van artikel 22 van Wet 23 van 1957, soos vervang deur artikel 4 van Wet 68 van 1967 en gewysig deur artikel 4 van Wet 57 van 1969 en artikel 4 van Wet 72 van 1985.

9. Artikel 22 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (a) deur die volgende paragraaf te vervang:

"(a) in die geval van 'n in artikel 2 of 20 (1) (a) **of (aA)** bedoelde misdryf, met gevengenisstraf vir 'n tydperk van hoogstens drie jaar met of sonder 'n boete van hoogstens **[seshonderd rand]** **R6 000** benewens bedoelde gevengenisstraf;"

- (b) deur paragraaf (b) deur die volgende paragraaf te vervang:

"(b) in die geval van 'n in artikel 9 (1) bedoelde misdryf, met gevengenisstraf vir 'n tydperk van hoogstens vyf jaar, of, as die betrokke **[vrouspersoon]** kind 'n seun onder die ouderdom van 14 jaar of 'n meisie onder die ouderdom van **[twaalf]** **12** **55** jaar is, vir lewenslank;"

- (c) deur paragraaf (c) deur die volgende paragraaf te vervang:

"(c) in die geval van 'n in artikel 10 bedoelde misdryf, met gevengenisstraf vir 'n tydperk van hoogstens **[vyf]** **sewe jaar;**"

- (d) deur paragraaf (f) deur die volgende paragraaf te vervang:

"(f) in die geval van 'n in artikel 14 (1), **14 (3)**, 15 of 17 bedoelde misdryf, met gevengenisstraf vir 'n tydperk van hoogstens ses jaar met of sonder 'n boete

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- “(aA) has unlawful carnal intercourse, or commits an act of indecency, with any other person for reward; or”; and
- (b) by the substitution for subsection (2) of the following subsection:
- “(2) If it is made to appear to a magistrate by information on oath that there is reason to suspect that any house is used [by a female] for purposes of prostitution and that any person residing in or frequenting the house is living wholly or in part on the earnings of [the prostitute] prostitution, the magistrate may issue a warrant authorizing any police officer not below the rank of sergeant to enter and search the house and to arrest that person.”.
- 15 8. Section 21 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:
- “(4) Whenever in any prosecution for an offence under section 12A it is proved—
- (a) that the accused has performed any act [or has done anything or has furnished any information] for reward which was calculated [or likely] to enable any [male] person to communicate with [or to establish the whereabouts of or to trace] any [female] other person who [the accused had reason to believe to be] is a prostitute; or
- (b) that the other person with whom communication was made as a result of such act has had unlawful carnal intercourse, or has committed an act of indecency, with such person for reward,
- 30 the accused shall be presumed to have performed such act [or to have done such thing or to have furnished such information, as the case may be] with intent or while he reasonably ought to have foreseen the possibility that such [female be unlawfully carnally known by such male] other person may have unlawful carnal intercourse, or commit an act of indecency, with such person for reward unless the contrary is proved beyond reasonable doubt.”.
- 35 9. Section 22 of the principal Act is hereby amended—
- (a) by the substitution for paragraph (a) of the following paragraph:
- “(a) in the case of an offence referred to in section 2 or 20 (1) (a) or (aA), to imprisonment for a period not exceeding three years with or without a fine not exceeding [six hundred rand] R6 000 in addition to such imprisonment;”;
- (b) by the substitution for paragraph (b) of the following paragraph:
- “(b) in the case of an offence referred to in section 9 (1), to imprisonment for a period not exceeding five years, or, if the [female] child concerned is a boy under the age of 14 years or a girl under the age of [twelve] 12 years, for life;”;
- (c) by the substitution for paragraph (c) of the following paragraph:
- “(c) in the case of an offence referred to in section 10, to imprisonment for a period not exceeding [five] seven years;”;
- (d) by the substitution for paragraph (f) of the following paragraph:
- “(f) in the case of an offence referred to in section 14 (1), 14 (3), 15 or 17, to imprisonment for a period not exceeding six years with or without a fine not

Amendment of
section 21 of
Act 23 of 1957,
as amended by
section 3 of
Act 68 of 1967
and section 3 of
Act 72 of 1985.Amendment of
section 22 of
Act 23 of 1957,
as substituted by
section 4 of
Act 68 of 1967
and amended by
section 4 of
Act 57 of 1969
and section 4 of
Act 72 of 1985.

Wet No. 2, 1988

ONTUGWYSIGINGSWET, 1988

van hoogstens **[eenduisend rand]** R12 000 bewenens bedoelde gevangenisstraf;” en

(e) deur paragraaf (g) deur die volgende paragraaf te vervang:

“(g) in die geval van 'n in artikel 18A, 19, 20 (1) (b) of (c), of 20A (1) bedoelde misdryf, met 'n boete van hoogstens **[vierhonderd rand]** R4 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met sowel daardie boete as daardie gevangenisstraf.”.

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Vervanging van artikel 25 van Wet 23 van 1957.

10. Artikel 25 van die Hoofwet word hierby deur die volgende artikel vervang:

“Kort titel. **25.** Hierdie Wet heet die **[Ontugwet]** Wet op Sekuele Misdrywe, 1957.”.

Kort titel.

11. Hierdie Wet heet die Ontugwysigingswet, 1988.

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IMMORALITY AMENDMENT ACT, 1988

Act No. 2, 1988

exceeding [one thousand rand] R12 000 in addition to such imprisonment;”; and

(e) by the substitution for paragraph (g) of the following paragraph:

5 “(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] R4 000 or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.”.

10 10. The following section is hereby substituted for section 25 Substitution of of the principal Act:
section 25 of
Act 23 of 1957.

“Short title. 25. This Act shall be called the [Immorality] Sexual Offences Act, 1957.”.

11. This Act shall be called the Immorality Amendment Act, Short title.
15 1988.

