

Legislative Council

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South Australia

Criminal Law Consolidation (Child Sexual Abuse) Amendment Bill 2023

A BILL FOR

An Act to amend the *Criminal Law Consolidation Act 1935* and to make related amendments to the *Child Sex Offenders Registration Act 2006* and the *Sentencing Act 2017*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Criminal Law Consolidation (Child Sexual Abuse) Amendment Act 2023*.

2—Commencement

This Act comes into operation 14 days after the day on which it is assented to by the Governor.

Part 2—Amendment of *Criminal Law Consolidation Act 1935*

3—Amendment of section 50—Unlawful sexual relationship with child

(1) Section 50, heading—delete "Unlawful sexual relationship with child" and substitute:

Sexual abuse of a child

(2) Section 50—after subsection (13) insert:

(14) The heading of this section—

- (a) is not part of this section (despite section 19 of the *Legislation Interpretation Act 2021*); and
- (b) is not intended to affect the interpretation or operation of this section.

Note—

Parliament, in amending the heading of this section by the *Criminal Law Consolidation (Child Sexual Abuse) Amendment Act 2023*, did not intend to change the nature or scope of this offence or the requirements for establishing an offence against this section.

Schedule 1—Related amendments

Part 1—Amendment of *Child Sex Offenders Registration Act 2006*

1—Amendment of Schedule 1—Class 1 and 2 offences

Schedule 1, clause 2(ea)—delete "persistent"

Part 2—Amendment of *Sentencing Act 2017*

2—Amendment of section 81—Intensive correction orders

Section 81(5), definition of *serious sexual offence*, (a)(iv)—delete "persistent"