

Homosexual Law Reform Act 1986

Public Act 1986 No 33
Date of assent 11 July 1986
Commencement see section 1(2)

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An Act to amend the Crimes Act 1961 by removing criminal sanctions against consensual homosexual conduct between males, and by consequentially amending the law relating to consensual anal intercourse

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 Homosexual Law Reform Act 1986.
- (2) This Act shall come into force on the 28th day after the date on which it receives the Governor-General's assent.

Amendments of Crimes Act 1961

2 Act to be read with Crimes Act 1961

This Act shall be read together with and deemed part of the Crimes Act 1961 (hereinafter referred to as the **principal Act**).

3 Two new sections (relating to indecency with boys) substituted

[Repealed]

Section 3: repealed, on 20 May 2005, by section 11 of the Crimes Amendment Act 2005 (2005 No 41).

4 Indecent assault on man or boy

[Repealed]

Section 4: repealed, on 20 May 2005, by section 11 of the Crimes Amendment Act 2005 (2005 No 41).

5 Anal intercourse

[Repealed]

Section 5: repealed, on 20 May 2005, by section 11 of the Crimes Amendment Act 2005 (2005 No 41).

6 Keeping place of resort for homosexual acts

- (1) Section 146 of the principal Act is hereby repealed.
- (2) Section 147(2) of the principal Act is hereby amended by omitting the word "woman", and substituting the word "person".

7 Past offences

- (1) No person shall be liable to be convicted of an offence against any of sections 140, 141, or 142 of the principal Act committed before the commencement of this Act if the act that constituted the offence does not constitute an offence after the commencement of this Act.
- (2) Subject to subsection (1), where, before the commencement of this Act, any person has been charged with any offence against section 140 or section 141 or section 142 of the principal Act, the proceedings in respect of the charge shall continue as if this Act had not been passed, except that—
- (a) where the person is charged with an offence against section 141 of the principal Act and the charge relates to a boy of or over the age of 12 years and under the age of 16 years, he shall be entitled to raise any defence that he would have been entitled to raise if the charge had been brought under section 140A of the principal Act (as substituted by section 3 of this Act); and
 - (b) where the person is charged with an offence against section 142 of the principal Act, he shall be entitled to raise any defence that he would have been entitled to raise if the charge had been brought under section 142 of the principal Act (as substituted by section 5 of this Act).

8 Savings in respect of Armed Forces*[Repealed]*

Section 8: repealed, on 1 February 1994, by section 146 of the Human Rights Act 1993 (1993 No 82).

This Act is administered by the Ministry of Justice
