

NEW ZEALAND.



ANNO TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. XX.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. "The Offences against the Person Act 1867" section 49 amended.
3. Whipping for offenders against this Act.</p> | <p>4. Offences committed before this Act comes into operation to be dealt with under the repealed section of the said Act.
5. Act to be read as part of "The Offences against the Person Act 1867."</p> |
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AN ACT to amend "The Offences against the Person Act 1867." Title.
[15th October 1868.]

WHEREAS it is expedient to amend "The Offences against the Person Act 1867" Preamble.

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

1. The Short Title of this Act shall be "The Offences against the Person Act Amendment Act 1868." Short Title.

2. The forty-ninth section of "The Offences against the Person Act 1867" whereby it is enacted that whosoever shall be convicted of any indecent assault upon any female or of any attempt to have carnal knowledge of any girl under twelve years of age shall be liable at the discretion of the Court to be imprisoned for any term not exceeding two years with or without hard labour is hereby repealed and in lieu thereof it is enacted as follows—Whosoever shall be convicted of any indecent assault upon any female or of any attempt to have carnal knowledge of any girl under twelve years of age shall be liable at the discretion of the Court to be kept in penal servitude for any term not exceeding seven years and not less than three years or to be imprisoned for any term not exceeding two years with or without hard labour and with or without solitary confinement. "The Offences against the Person Act 1867" section 49 amended.

3. Where any person is convicted of a crime under the foregoing section of this Act the Court before whom he is convicted may in addition to the punishment awarded direct that the offender be once twice or thrice privately whipped Provided the number of strokes do Whipping for offenders against this Act.

Offences against the Person Act Amendment.

not exceed fifty at each such whipping and that the Court in its sentence shall specify the number of strokes to be inflicted and the instrument to be used. Provided also that in no case shall such whipping take place after the expiration of six months from the passing of the sentence. Provided also that in all cases where the punishment of whipping shall be inflicted under the authority of this Act the surgeon or medical officer of the gaol in which the offender is confined shall be present when the said punishment is inflicted and such surgeon or medical officer if he be of opinion that the prisoner is not at any time able to bear the whole or any part of the said punishment so awarded may from time to time order the infliction of the whole or any part of the said punishment to be postponed and shall within seven days after the making of any such order send a report in writing stating his reasons for making such order to the Colonial Secretary.

Offences committed before this Act comes into operation to be dealt with under the repealed section of the said Act.

4. Every offence committed before the coming into operation of this Act against the provisions of the said section of the said Act hereby repealed shall be dealt with and punished as if the said section had not been repealed and every Act duly done before the coming into operation of this Act shall continue and be of the same force as if the said section of the said Act hereby repealed had not been repealed.

Act to be read as part of "The Offences against the Person Act 1867."

5. This Act shall be construed and read as part of "The Offences against the Person Act 1867."

WELLINGTON, NEW ZEALAND:

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