



**EVIDENCE AMENDMENT (SEXUAL ASSAULT) ACT
1993**

No. 5 of 1993

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AN ACT to amend the *Evidence Act 1910* with respect to the victims of sexual assault and for related purposes

[Royal Assent 20 April 1993]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title

1—This Act may be cited as the *Evidence Amendment (Sexual Assault) Act 1993*.

Commencement

2—This Act commences on the day on which it receives the Royal Assent.

Principal Act

3—In this Act, the *Evidence Act 1910** is referred to as the Principal Act.

Section 102A amended (Evidence relating to sexual experience, &c.)

4—Section 102A of the Principal Act is amended as follows:—

- (a) by inserting “or an offence under section 35 (3) of the *Police Offences Act 1935*” in subsection (1) after “*Criminal Code*”;
- (b) by inserting “or offence” in subsection (1) (a) after “crime”;
- (c) by inserting “or an offence” in subsection (2) after “a crime”;
- (d) by inserting “or offence” in subsection (2) (b) after “crime”.

Section 103AB amended (Prohibition of publication of certain identifying particulars in certain cases)

5—Section 103AB (1) of the Principal Act is amended by omitting paragraph (a) and substituting the following paragraph:—

- (a) the name, address or any other reference or allusion likely to lead to the identification of—
 - (i) any person in respect of whom a crime is alleged to have been committed under section 124, 125, 126, 127, 127A, 128, 129, 185 or 186 of the *Criminal Code*; or

* 1 Geo. V No. 20. For this Act, as amended to 1 June 1979, see the continuing Reprint of Statutes. Subsequently amended by No. 52 of 1981, Nos. 60 and 75 of 1982, No. 29 of 1984, Nos. 5, 21 and 51 of 1985, No. 34 of 1986, Nos. 55 and 77 of 1987, Nos. 4 and 25 of 1988, No. 5 of 1990 and Nos. 1, 25, 27, 46 of 1991 and Nos. 13 and 36 of 1992.

- (ii) any person in respect of whom an offence is alleged to have been committed under section 35 (3) of the *Police Offences Act 1935*; or
 - (iii) any witness or intended witness in any such proceedings; or
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*[Second reading presentation speech made in:—
House of Assembly on 10 November 1992
Legislative Council on 23 March 1993]*

