



Immorality Amendment Act, Act No. 21 of 1950

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IMMORALITY AMENDMENT. 217

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Act No. 21 of 1950.

ACT

To amend the Immorality Act, 1927, so as to prohibit illicit carnal intercourse between Europeans and non-Europeans, and to provide for matters incidental thereto.

(English text signed by the Governor-General.) (Assented to 1st May, 1950.)

BE IT ENACTED by the King's Most Excellent Majesty,

the Senate and the House of Assembly of the Union of South Africa, as follows: 1.

Sections one, two and three of the Immorality Act, 1927 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the word "native", wherever it occurs, of the word "non-European".

2. The following section is hereby inserted in the principal Act after section two: "Defence 2bis. It shall be a sufficient defence to any charge to charge. under section one or section two if it is proved to the satisfaction of the court or jury before whom the charge is brought that the person so charged at the time of the commission of the offence had reasonable cause to believe that the person with whom he or she committed the offence was a European if the person so charged is a European, or a non-European if the person so charged is a nonEuropean."

3. The following section is hereby substituted for section seven of the principal Act : "Inter- 7. In this Actpretation (i) 'European' means a person who in appearance of terms. obviously is, or who by general acceptance and repute is a European; (i) (ii) 'illicit carnal intercourse' means carnal intercourse other than between husband and wife; (iii) and (iii) 'non-European' means a person who in appearance obviously is, or who by general acceptance and repute is a non-European. (ii).".

4. The following section is hereby inserted in the principal Act after section seven:

"Presump- 7bis. Any person who seems in appearance Amendment o sections 1, 2 and 3 of Act 5 of 1927.

Insertion of section 2bis in Act 5 of 1927.

Substitution of section 7 of Act 5 of 1927.

Insertion of section 7bis in Act 5 of 1927.

as the case may be, shall for the purposes of this Act be deemed to be such, until the contrary is proved."

5. The long title of the principal Act is hereby amended Amendmen by the substitution for the word "natives", of the word long title by of Act 5 of "non-Europeans".

6. This Act shall be called the Immorality Amendment Short title. Act, 1950. t of 1927.