

Proposed Amendments to the Crimes Ordinance (Cap. 200)

Marital Rape and Related Sexual Offences

1. Interpretation

Section 117 of the Crimes Ordinance (Cap. 200) is amended by adding -

"(1B) For the purposes of this Part, "unlawful sexual intercourse" includes sexual intercourse between a husband and his wife if -

- (a) at the time of the intercourse the wife does not consent to it; and
- (b) the husband knows, at the time of the intercourse, that his wife does not consent to it or he is reckless as to whether she consents to it."

2. Rape

Section 118 is amended -

- (a) in subsection (3)(a), by repealing "unlawful";
- (b) by adding -

"(3A) For the avoidance of doubt, it is declared that in subsection (3)(a), "sexual intercourse" includes sexual

intercourse between a husband and his
wife.".

3. Intercourse with girl under 16

Section 124(2) is amended by adding "she consents to the
intercourse and" after "if".

4. Indecent conduct towards child under 16

Section 146(3) is amended by adding "she consents to the act
and" after "if".