

BECHUANALAND PROTECTORATE.

No. 15 of 1949.

(Promulgated 8th April, 1949.)

PROCLAMATION

By HIS EXCELLENCY THE HIGH COMMISSIONER
Entitled the Bechuanaland Protectorate Women and
Girls' Protection Proclamation, 1949.

Whereas it is expedient to provide for the protection
of women and girls in the Bechuanaland Protectorate;

Now therefore under and by virtue of the powers
in me vested, I do hereby declare, proclaim and make
known as follows:—

1. Any person who—

(1) procures or attempts to procure any
woman or girl, ~~not being a common prosti-
tute or of known immoral character~~, to have
unlawful carnal connection, either within
the Bechuanaland Protectorate or elsewhere,
with any other person or persons; or

(2) procures or attempts to procure any
woman or girl to become, either within the
Bechuanaland Protectorate or elsewhere, a
common prostitute; or

(3) procures or attempts to procure any
woman or girl to leave the Bechuanaland
Protectorate, with intent that she may
become an inmate of or frequent a brothel
elsewhere; or

(4) procures or attempts to procure any
woman or girl to leave her usual place of
abode in the Bechuanaland Protectorate
~~(such place not being a brothel)~~ with intent
that she may, for the purposes of prostitu-
tion, become an inmate of or frequent a
brothel within the Bechuanaland Protecto-
rate or elsewhere;

shall be guilty of an offence and being
convicted thereof shall be liable, at the
discretion of the Court, to a fine not exceeding
five hundred pounds or to imprisonment for
any term not exceeding six years with or
without hard labour;

Provided that no person shall be convicted of
any offence under this section upon the
evidence of one witness, unless such witness
be corroborated in some material particular
by evidence implicating the accused: and
provided further that it shall be no defence

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to a prosecution under this section that the woman or girl consented to the procurement or attempted procurement.

Defilement of women and girls by threats, fraud or drugs.

2. Any person who—

(1) by threats or intimidation, procures or attempts to procure, any woman or girl to have unlawful carnal connection, either within the Bechuanaland Protectorate or elsewhere; or

Proc. 54/56. (2) by false pretences or false representations procures any woman or girl, ~~not being a common prostitute or of known immoral character~~, to have any unlawful carnal connection, either within the Bechuanaland Protectorate or elsewhere; or

(3) applies, administers to, or causes to be taken by any woman or girl any drug, matter or thing, with intent to stupefy or overpower so as thereby to enable any person to have unlawful carnal connection with such woman or girl;

shall be guilty of an offence and being convicted thereof shall be liable, at the discretion of the Court, to a fine not exceeding five hundred pounds or to imprisonment for any term not exceeding six years with or without hard labour;

Provided that no person shall be convicted of any offence under this section upon evidence of one witness, unless such witness be corroborated in some material particular by evidence implicating the accused.

Interpretation.

3. Unlawful carnal connection means, for the purpose of this Proclamation, carnal connection otherwise than between husband and wife.

Short title.

4. This Proclamation may be cited as the Bechuanaland Protectorate Women and Girls Protection Proclamation, 1949.

GOD SAVE THE KING.

Given under my Hand and Seal at Cape Town this First day of April, One thousand Nine hundred and Forty-nine.

E. BARING,
High Commissioner.

By Command of His Excellency
the High Commissioner.

W. A. W. CLARK,
Chief Secretary.