

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1933.

A BILL

To amend the Newspapers Act, 1898, in certain respects.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the " Newspapers Short title.
(Amendment) Act, 1933."

(2) The Newspapers Act, 1898, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Newspapers Act, 1898-1933.

359

2. The Principal Act is amended—

Amendment of Act No. 23, 1898.

(a) by omitting from section two all words after the word " indicates " and by inserting in lieu thereof the words:—

Sec. 2. (Interpretation.)

“ ‘Newspaper’ means any paper containing public news, intelligence, or occurrences or any remarks or observations therein printed for sale and published in New South Wales periodically or in parts or numbers at intervals not exceeding twenty-six days between the publication of any two such papers, parts or numbers, and includes any paper printed whether for sale or not and published weekly or oftener or at intervals not exceeding twenty-six days containing only or principally advertisements;

cf. 44 and 45 Vic., c. 60, s. 1.

‘ Occupation ’ when applied to any person shall mean his trade or calling and, if none, then his rank or usual title;

‘ Place of residence ’ shall include the street or place where the person to whom it refers shall reside and the number (if any) or other designation of the house in which he shall so reside;

‘ Proprietor ’ shall mean and include as well the sole proprietor of any newspaper, as also in the case of a divided proprietorship, the persons who as partners or otherwise represent and are responsible for any share or interest in the newspaper as between themselves and the person in like manner representing or responsible for the other shares or interests therein and no other person”;

(b) (i) by omitting from paragraph (a) of section four the words “and of all the proprietors of the same”;

Sec. 4. (Nature of affidavit or affirmation.)

(ii)

(ii) by inserting next after the same paragraph the following new paragraphs:—

(a1) where the appointment of representative proprietors has been authorised under this Act—the names, additions, descriptions, and places of abode of all the representative proprietors of the newspaper, and the name and the address of the office of the association or society by which they are appointed or deemed to have been appointed;

(a2) where the appointment of representative proprietors has not been so authorised—the names, additions, descriptions and places of abode of all the proprietors of the newspaper;

(c) (i) by inserting in section five after the word “proprietors” the words “or representative proprietors as the case may be”;

Sec. 5.
(Affidavit or affirmation to be renewed as occasion may require.)

(ii) by inserting in the same section after the word “office” the words “or as often as the address of the office of any association or society which has appointed representative proprietors is changed”;

(iii) by omitting from the same section the words “Colonial Secretary” and by inserting in lieu thereof the word “Minister”;

(d) by omitting from paragraph (b) of subsection one of section six all words after the word “printer” and by inserting in lieu thereof the words “and publisher, and also by every proprietor, or where representative proprietors have been appointed pursuant to this Act, by every representative proprietor, of the newspaper to which the same relates”;

Sec. 6.
(Form of affidavit or affirmation.)

(e) by inserting in section seven after the word “proprietor” the words “or representative proprietor as the case may be”;

Sec. 7.
(Penalty for selling papers where no affidavit or affirmation made and delivered.)

(f)

- (f) (i) by inserting in paragraph (a) of section eight after the word "proprietor" the words "or representative proprietor as the case may be"; Sec. 8.
(To falsify affidavit or affirmation punishable as perjury.)
- (ii) by inserting in paragraph (b) of the same section after the word "proprietors" the words "or representative proprietors as the case may be";

- (g) by inserting next after section nine the following new section:— New s. 9A.

9A. (1) Where the proprietors of a newspaper are members of an unincorporated association or society consisting of more than twenty members the Minister may authorise the association or society to appoint in accordance with any provision contained in its rules, representative proprietors for the purposes of this Act. Appointment of representative proprietors.

(2) Unless and until rules containing some provision to the contrary are made the rules of each such association or society shall be deemed to provide that the trustees for the time being of the association or society shall be the representative proprietors.

- (h) by omitting from section twelve the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 12.
(In case of bankruptcy of surety new recognizance to be entered into.)

- (i) by inserting next after subsection one of section fourteen the following new subsection:— Sec. 14.
(Imprint.)

(1A) Where the person who prints or publishes a newspaper is a member of a firm registered under the Registration of Firms Act, 1902, or any Act replacing the same and there is printed in the newspaper in lieu of the name, addition, and place of abode of such member, the firm-name, and the address of the principal place of business in New South Wales of the firm, such imprint shall be regarded as a sufficient compliance with the requirement of this section.

(j)

-
- (j) by inserting in section sixteen after the word "proprietor" wherever occurring the words "or representative proprietor as the case may be"; Sec. 16.
(Service of
Process.)
 - (k) by omitting from section twenty-one the words "or in any Circuit Court" and by inserting in lieu thereof the words "holden in Sydney or in any circuit town"; Sec. 21.
(Revision.)
(See Act
No. 9,
1912.)
 - (l) (i) by omitting from subsection one of section twenty-two all words after the words "assessed by any such justice" and by inserting in lieu thereof the words "Any such penalty or costs may be recovered in accordance with the provisions of the Justices Act, 1902, as amended by subsequent Acts"; Sec. 22.
(Revision.)
(See Act
No. 27,
1902, s. 82.)
 - (ii) by omitting from subsection two of the same section the words "General or General Quarter Sessions of the Peace" and by inserting in lieu thereof the words "Quarter Sessions." (Revision.)
(See Act
No. 40,
1900, s.
568.)
-