

No. , 1899.

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## A BILL

To prohibit the importation, manufacture, use, and sale of imitations of Postage Stamps; and to amend the Postage Acts Amendment Act, 1893, with regard to the definition of newspapers.

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**B**E it enacted by the Queen'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:—

### PART I.

#### *Fictitious stamps.*

1. Subject to any order made in pursuance of this Part a person shall not—

- (a) make, knowingly utter, deal in, or sell any fictitious stamp, or knowingly use for any postal purpose any fictitious stamp, or

Prohibition of use of fictitious stamps.  
47 & 48 Vic., ch. 76,  
s. 7.

15—(5)

(b)

Postage Stamps and Newspapers.

- (b) have in his possession, unless he shows a lawful excuse, any fictitious stamp, or
- (c) make, or, unless he shows a lawful excuse, have in his possession any die, plate, instrument, or materials for making any fictitious stamp.

Any person who acts in contravention of this section shall be liable on summary conviction on a prosecution by order of the Colonial Treasurer before a Court of petty sessions to a fine of *fifty* pounds. Any stamp, die, plate, instrument, or materials found in the possession of any person in contravention of this section may be seized and shall be forfeited.

2. Subject to any such order as aforesaid, fictitious stamps, and dies, plates, instruments, and materials for making fictitious stamps, are hereby added to the list of goods absolutely prohibited by the Customs Regulation Act, 1879, to be imported into New South Wales.

Prohibition of importation of fictitious stamps. See 61 & 62 Vic., c. 46, s. 1.

3. The Governor, by order published in the Gazette, may declare the circumstances under which persons, articles, and things shall be exempt from the operation of this Part or any of the provisions of this Part, and may revoke or vary any such order.

Governor may make exemptions from Act.

4. For the purposes of this Part, fictitious stamp means any fac-simile or imitation or representation whether on paper or otherwise of any stamp for denoting any rate of postage, including any stamp for denoting a rate of postage of any part of Her Majesty's dominions beyond the Colony of New South Wales or of any foreign country.

Meaning of "fictitious stamp." 47 & 48 Vic., c. 76, s. 7.

5. This Part shall not exempt any person from any proceeding by indictment or otherwise for an offence which is punishable at common law or under any Act other than this Act, so that no person is tried or punished twice for the same offence.

Saving clause as to liability. *Ibid.* s. 16:

When proceedings are taken before any court against a person in respect of an offence under this Part, which is also an offence punishable at common law or under some Act other than this Act, the Court may direct that instead of such proceedings being continued, proceedings shall be taken for punishing such person at common law or under some Act other than this Act.

PART II.

Definition of newspaper.

6. (1) In order to secure that none but bona-fide newspapers shall be received, conveyed, or delivered within the Colony free of postage, the definition of a newspaper in section three of the Postage Acts Amendment Act, 1893 (56 Vic. No. 31) is, for the purpose of that Act

Amendment of definition of newspapers.

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Act and for the purpose of section two of the Act thirty-seventh Victoria number one, hereby amended in the following particulars :—

- (a) A newspaper must be published for sale.
- (b) A fair proportion only of a newspaper may consist of literature or illustrations of an educational character.
- (c) A fair proportion only of the advertisements in a newspaper may relate to the business of the printer, publisher, or proprietor of the newspaper.
- (d) A fair proportion only of a newspaper may consist of advertisements.

(2) For the purpose of carrying out the provisions of this section, the Governor may make regulations— Regulations in aid of definition.

- (a) defining what constitutes the publication of a newspaper for sale ;
- (b) determining what proportion of literature and illustrations of an educational character is a fair proportion of a newspaper ;
- (c) determining what proportion of advertisements relating to the business of the printer, publisher, or proprietor of a newspaper is a fair proportion of the advertisements in the newspaper ;
- (d) determining what proportion of advertisements is a fair proportion of a newspaper.

All such regulations shall be published in the Gazette, and shall be laid before both Houses of Parliament within fourteen days after such publication, if Parliament is sitting, but if Parliament is not sitting, then within fourteen days after the next meeting of Parliament.

7. This Part shall be construed with the Postage Act, 1867 Incorporation. (31 Vic. No. 4), the Act thirty-seventh Victoria number one, and the Postage Acts Amendment Act, 1893 (56 Vic. No. 31).

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PART III.

*Commencement and short title.*

8. This Act shall take effect on the \_\_\_\_\_ day of \_\_\_\_\_, Commencement and  
and may be cited as the "Postage Stamps and Newspapers Act, short title.  
1899."

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