



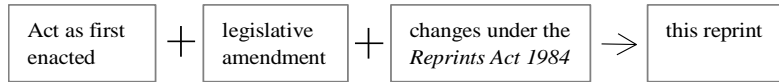
Western Australia

Parliamentary Papers Act 1891

Reprint 2: The Act as at 14 November 2003

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

Parliamentary Papers Act 1891

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 14 November 2003

Parliamentary Papers Act 1891

An Act to give protection to persons employed in the printing and publication of papers by order or authority of the Legislative Council or Legislative Assembly or a Committee thereof respectively, and to facilitate the proof of Acts of Parliament and Parliamentary Papers.

Preamble

Whereas it is essential to the due and effectual exercise and discharge of the functions and duties of the Legislature that no obstructions or impediments should exist to the publication of such of the reports, papers, votes, and proceedings of the Legislative Council and Assembly as the said Council or Assembly may deem fit or necessary to be published; and whereas obstructions or impediments to such publication may hereafter arise by means of civil or criminal proceedings being taken against persons employed by or acting under the authority of the said Council or Assembly in the publication of such reports, papers, votes or proceedings by reason and for remedy whereof it is expedient that protection should be afforded to all persons acting under the authority aforesaid: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows: —

1. Proceedings against persons for publication of papers printed by order of the Legislative Council or Assembly to be stayed

It shall and may be lawful for any person or persons who shall be a defendant or defendants in any civil proceeding commenced in any manner so ever for or on account or in respect of the publication of any report, paper, votes or proceedings of the Legislative Council or Legislative Assembly by such person or persons, or by his, her, or their servant or servants, by or under the authority of the Legislative Council or Assembly of the said Colony to bring before the Court in which such proceeding shall have been, or shall be so commenced, or before any Judge of the same, first giving 24 hours' notice of his intention so to do to the prosecutor or plaintiff in such proceeding, a certificate under the hand of the President or Speaker of the said Legislative Council or Assembly, or of the Clerk of the said Council or Assembly, stating that the report, paper, votes or proceedings, as the case may be, in respect whereof such civil proceedings shall have been commenced was published by such person or persons, or by his, her, or their servants, by order, or under the authority of the said Council or Assembly, or a Committee thereof, together with an affidavit verifying such certificate.

And such Court or Judge shall thereupon immediately stay such civil proceeding, and the same and every writ or process issued therein shall be and shall be deemed and taken to be finally put an end to, determined, and superseded by virtue of this Act.

[Section 1 amended by 1 and 2 Edwardi VII. No. 14 s. 3(2).]

2. Proceedings to be stayed when commenced in respect of publication of copy of authenticated report, etc.

In case of any civil proceeding to be commenced for or on account or in respect of the publication of any copy of such report, paper, votes or proceedings, it shall be lawful for the defendant or defendants at any stage of the proceedings to lay

before the Court or Judge such report, paper, votes or proceedings, and such copy with an affidavit verifying such report, paper, votes or proceedings, and the correctness of such copy.

And the Court or Judge shall immediately stay such civil proceedings, and the same and every writ of process issued therein shall be, and shall be deemed and taken to be finally put an end to, determined, and superseded by virtue of this Act.

[Section 2 amended by 1 and 2 Edwardi VII. No. 14 s. 3(2).]

3. In proceeding for printing any extract or abstract, may be shown that such publication was *bona fide*

It shall be lawful, in any civil proceeding to be commenced for printing any extract from or abstract of such report, paper, votes or proceedings, to give in evidence such report, paper, votes or proceedings, and to show that such extract or abstract was published *bona fide* and without malice.

And if such shall be the opinion of the jury, a verdict of ‘not guilty’ shall be entered for the defendant or defendants.

[Section 3 amended by 1 and 2 Edwardi VII. No. 14 s. 3(2).]

3A. Protection concerning speeches in Parliament

- (1) A person to whom this section applies does not incur any civil liability as for defamation by the publication, upon the written request of a member of either House of Parliament, of any defamatory matter in a copy in writing of a speech, or extract from a speech, made in Parliament by that member.
- (2) For the purposes of subsection (1), a copy in writing of a speech, or extract from a speech, made in Parliament by a member of either House of Parliament shall be taken to include any material not attributed to that member but included in the official report of his speech in Parliamentary Debates (Hansard).

- (3) This section applies to —
- (a) a person employed as a member of the Parliamentary Reporting Staff;
 - (b) an employee of Parliament;
 - (c) the Government Printer; and
 - (d) a person employed in the Government Printing Office³.

[Section 3A inserted by No. 46 of 1985 s. 2.]

4. Proof of Acts, reports, votes and proceedings, etc.

A copy of any Ordinance or Act of the Legislature now in force or hereafter to be passed, and of any report, or paper, or votes and proceedings of the Legislative Council or Legislative Assembly or of any Committee thereof respectively, purporting to be printed by the Government Printer or by the authority of either House or of a Committee of either House, shall be received in evidence in all cases whatever without proof of its being such copy, and it shall not be necessary in any case to prove that such copy was printed by such authority.

[5. Repealed by 1 and 2 Edwardi VII. No. 14 s. 3(2).]

6. Short title

This Act may be cited as the *Parliamentary Papers Act 1891*¹.
[Section 6 inserted by No. 81 of 1966 s. 2.]



Notes

- ¹ This reprint is a compilation as at 14 November 2003 of the *Parliamentary Papers Act 1891* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
Untitled Act ²	54 Vict. No. 3 1891	26 Feb 1891	26 Feb 1891
<i>Criminal Code Act 1902</i> s. 3(2)	1 and 2 Edw. VII No. 14	19 Feb 1902	1 May 1902 (see s. 2)
<i>Statute Law Revision</i> (<i>Short Titles</i>) Act 1966 s. 2	81 of 1966	12 Dec 1966	12 Dec 1966
<i>Parliamentary Papers</i> <i>Amendment Act 1985</i>	46 of 1985	17 Sep 1985	15 Oct 1985
Reprint of the <i>Parliamentary Papers Act 1891</i> as at 8 Aug 1986 (includes amendments listed above)			
Reprint 2: The <i>Parliamentary Papers Act 1891</i> as at 14 Nov 2003 (includes amendments listed above)			

- ² Now known as the *Parliamentary Papers Act 1891*; short title inserted (see note under s. 6).

- ³ Now known as the State Law Publisher.