

CRIMINAL CODE.

No. 38 of 1977.

AN ACT to amend The Criminal Code.

[Assented to 7th November, 1977.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Criminal Code Amendment Act, 1977*. Short title.

(2) In this Act "the Code" means The Criminal Code set out in the Schedule to the Criminal Code Act, 1913, appearing in Appendix B to the Criminal Code Compilation Act, 1913 as reprinted with amendments up to and including Act No. 19 of 1973, and amended by Acts Nos. 58 of 1974, 49 of 1975, 35 of 1976, 62 of 1976, and 133 of 1976.

Section 354
amended.

2. Section 354 of the Code is amended—

(a) by deleting the passage—

- (1) To publish in good faith, for the information of the public, a fair report of the proceedings of either House of Parliament, or of any committee of either House, or of any joint committee of both Houses; ,

and inserting in lieu thereof a passage as follows—

- (1) To publish in good faith, for the information of the public, a fair report of the proceedings of a House of the Parliament or Legislature of the Commonwealth or any State or Territory of the Commonwealth, or of a committee or joint committee of any such House or Houses; ;

(b) by deleting the passage—

- (2) To publish in good faith, for the information of the public, a copy of, or an extract from or abstract of, any paper published by order or under the authority of either House of Parliament; ,

and inserting in lieu thereof a passage as follows—

- (2) To publish in good faith, for the information of the public, a copy of, or an extract from or abstract of, any paper published by order or under the authority of a House of the Parliament or Legislature of the Commonwealth or a State or Territory of the Commonwealth; ;
and

(c) by deleting the passage—

- (4) To publish in good faith, for the information of the public, a fair report of the proceedings of any

inquiry held under the authority of a Statute, or by or under the authority of His Majesty, or of the Governor in Council, or a fair extract from or abstract of any such proceedings, or a copy of, or an extract from or abstract of, an official report made by the person by whom the inquiry was held; ,

and inserting in lieu thereof a passage as follows—

- (4) To publish in good faith, for the information of the public, a fair report of any inquiry held under the authority of a Statute or Ordinance of the Commonwealth or a State or Territory of the Commonwealth, or by or under the authority of Her Majesty, or of the Governor in Council of the Commonwealth, the Governor in Council of any State of the Commonwealth, or the Administrator in Council of any Territory of the Commonwealth; .

3. The Code is further amended—

Further
amendments
to the
Code.

- (a) as to section 1, by inserting immediately before the interpretation of The term “dwelling-house” and interpretation as follows—

The term “District Court” means The District Court of Western Australia established under the District Court of Western Australia Act, 1969; ;

- (b) by deleting the words “Court of Session” in—
- (i) line two of the second paragraph of section 577; and
- (ii) line two of subsection (1) of section 682A,

and inserting in lieu thereof the words “District Court”, in each case;

- (c) by deleting the words “or Court of Session” in—
- (i) lines one and two of the second paragraph of section 656;
 - (ii) line two of the second paragraph of section 676; and
 - (iii) line two of section 677;
- (d) as to section 729—
- (i) by deleting the words “Chairman of a Court of Session”, in line nine of the second paragraph, and inserting in lieu thereof the words “Judge of the District Court”; and
 - (ii) by deleting the words “a Clerk of a Court of Session”, in line eleven of the second paragraph, and inserting in lieu thereof the words “the Registrar of the District Court”; and
- (e) as to section 746A, by deleting the words “a Court of Session”, in line five, and inserting in lieu thereof the words “District Court”.
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