



Western Australia

Newspaper Libel and Registration Act 1884 Amendment Act 1888

Compare between:

[03 Jun 2005, 02-a0-02] and [01 Jan 2006, 02-b0-05]

Newspaper Libel and Registration Act 1884 Amendment Act 1888

An Act to amend the *Newspaper Libel and Registration Act 1884*.

[Long title amended by No. 74 of 2003 s. 142(3)(a).]

1. Short title

This Act may be cited as the *Newspaper Libel and Registration Act 1884 Amendment Act 1888*¹.

[Section 1 amended by No. 74 of 2003 s. 143.]

2. Construction

This Act shall be read and construed together with the *Newspaper Libel and Registration Act 1884*, termed hereinafter in this Act “The Act”.

[Section 2 amended by No. 74 of 2003 s. 142(3)(b).]

3. Security for costs

On an affidavit being filed by the defendant in any action for libel brought after the passing of this Act that the plaintiff in such action is an uncertificated bankrupt, or has within 12 months of the issue of the writ of summons in any action as aforesaid liquidated or compounded with his creditors, or is a person without fixed domicile, or is to the belief of the defendant and some other person of repute without visible means of paying the costs of such action if unsuccessful, the Court or a Judge thereof in Chambers may order all proceedings in such action to be stayed until security for such costs shall be given to the Principal Registrar of the Supreme Court as he shall

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think sufficient up to a maximum of \$200: Provided always, that either the plaintiff or defendant in any such action shall be at liberty to appeal to the Court of Appeal to vary, reverse, or rescind any such order.

[Section 3 amended by No. 24 of 1957 s. 2; No. 113 of 1965 s. 8(1); No. 67 of 1979 s. 21; No. 45 of 2004 s. 37.]

[4. Repealed by No. 24 of 1957 s. 3.]

5. Limitation of action

No action shall be brought against the proprietor, publisher, editor, printer, or any person responsible for the publication of a newspaper, for any libel published therein, after the expiration of 12 months from the date of the publication of such libel in such newspaper.

[Section 5 amended by No. 24 of 1957 s. 4.]

6. Fair and accurate report of a public meeting privileged

The publication in a registered newspaper of a fair and accurate report of the proceedings in any court of justice, or at any State or local government ceremonial, or at any political or local government meeting, or at a public meeting, shall be absolutely privileged, and it shall be a good and sufficient defence for any person sued for libel published in a registered newspaper in respect of a report of the proceedings on any of the occasions above mentioned to prove that the said report was fair and accurate. The expression “**public meeting**” shall include, *inter alia*, any meeting which shall have been announced by any convener or promoter thereof either by advertisements, placards, or otherwise to be a public meeting, and also any meeting from which members of the public are not excluded, on the ground that they do not belong to any particular body, association, party, or society. For the purposes of this section it shall be immaterial whether admission be free or on payment or by ticket or otherwise.

[Section 6 amended by 1 & 2 Edw. VII No. 14 s. 3(2); No. 14 of 1996 s. 4(2).]

7. Saving for prerogative

Nothing in The Act or this Act contained shall in any way lessen or derogate from the rights and prerogatives of the Crown as to criminal informations for libel or otherwise.

Notes

- ¹ This reprint is a compilation as at 3 June 2005 of the *Newspaper Libel and Registration Act 1884 Amendment Act 1888* 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
<i>The Newspaper Libel and Registration Act 1884 Amendment Act 1888</i> ²	1888 (52 Vict. No. 18)	7 Dec 1888	7 Dec 1888
<i>Criminal Code Act 1902</i> s. 3(2)	1902 (1 & 2 Edw. VII No. 14)	19 Feb 1902	1 May 1902 (see s. 2)
<i>Newspaper Libel and Registration Act Amendment Act 1957</i>	24 of 1957	26 Oct 1957	26 Oct 1957
<i>Decimal Currency Act 1965</i>	113 of 1965	21 Dec 1965	Act other than s. 4-9: 21 Dec 1965 (see s. 2(1)); s. 4-9: 14 Feb 1966 (see s. 2(2))
<i>Acts Amendment (Master, Supreme Court) Act 1979</i> Pt. 11	67 of 1979	21 Nov 1979	11 Feb 1980 (see s. 2 and <i>Gazette</i> 8 Feb 1980 p. 383)
Reprint of <i>The Newspaper Libel and Registration Act 1884 Amendment Act 1888</i> as at 15 Dec 1988 (includes amendments listed above)			
<i>Local Government (Consequential Amendments) Act 1996</i> s. 4	14 of 1996	28 Jun 1996	1 Jul 1996 (see s. 2)
<i>Statutes (Repeals and Minor Amendments) Act 2003</i> s. 142(3) & 143	74 of 2003	15 Dec 2003	15 Dec 2003 (see s. 2)
<i>Acts Amendment (Court of Appeal) Act 2004</i> s. 37	45 of 2004	9 Nov 2004	1 Feb 2005 (see s. 2 and <i>Gazette</i> 14 Jan 2005 p. 163)
Reprint 2: <i>The Newspaper Libel and Registration Act 1884 Amendment Act 1888</i> as at 3 Jun 2005 (includes amendments listed above)			
<u>This Act was repealed by the <i>Defamation Act 2005</i> s. 46(b) (No. 44 of 2005) as at 1 Jan 2006 (see s. 2)</u>			

² Now known as the *Newspaper Libel and Registration Act 1884 Amendment Act 1888*; short title changed (see note under s. 1).