

Newspaper Libel and Registration Act, 1884—Amendment

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ

No. 18

An Act to amend 'The Newspaper Libel and Registration Act, 1884.' [Assented to 7th December, 1888.]

BE it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

1. This Act may be cited as 'The Newspaper Libel and Registration Act, 1884, Amendment Act, 1888.' Short title
2. This Act shall be read and construed together with 'The Newspaper Libel and Registration Act, 1884,' termed hereinafter in this Act 'The Act.' Construction
3. 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 twelve 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 Master of the Supreme Court as he shall think sufficient: Provided always, that either the plaintiff or defendant in any such action shall be at liberty to appeal to the full Court to vary, reverse, or rescind any such order. Security for costs
4. At the trial of any action against the proprietor, publisher, editor, printer, or any person responsible for the publication of a newspaper for any libel published therein, the plaintiff shall be non-suited unless he give evidence at such trial as witness on his own behalf. Plaintiff to give evidence on his own behalf
5. 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 four months from the date of the publication of such libel in such newspaper. Limitation of action
6. 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 municipal ceremonial, or at any political or municipal meeting, or at a public meeting, shall be absolutely privileged, and it shall be a good and sufficient defence for any person sued or prosecuted 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 Fair and accurate report of a public meeting privileged

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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.

Saving for Pre-
rogative

7. 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.

F. NAPIER BROOME,
GOVERNOR.
