



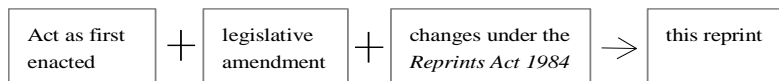
Western Australia

# **Unauthorised Documents Act 1961**

**Reprint 1: The Act as at 7 May 2004**

## 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  - removed (because it was repealed or deleted from the law); or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 3<sup>rd</sup> 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.

Reprinted under the  
*Reprints Act 1984* as  
at 7 May 2004

Western Australia

## Unauthorised Documents Act 1961

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### CONTENTS

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1.	Short title	1
2.	Commencement	1
3.	Interpretation	1
5.	Sending, serving or printing false process an offence	2
6.	Penalties in case of bodies corporate	2
7.	Consent of Attorney General to proceedings	3
8.	Other proceedings not affected	3
	<b>Notes</b>	
	Compilation table	4





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## Unauthorised Documents Act 1961

**An Act to prohibit the issue or use of false or misleading process and other documents; and for other incidental purposes.**

*[Long title amended by No. 59 of 1979 s. 3.]*

**1. Short title**

This Act may be cited as the *Unauthorised Documents Act 1961*<sup>1</sup>.

**2. Commencement**

This Act shall come into operation on a day to be fixed by proclamation<sup>1</sup>.

**3. Interpretation**

In this Act unless the context requires otherwise —

“**document**” includes any notice, claim, demand or process, any document relating to any extra-judicial remedy, and any copy of any document;

“**tribunal**” includes any court, judge, magistrate, justice or judicial or public officer, whether in or out of the State.

*[4. Repealed by No. 59 of 1979 s. 4.]*

**5. Sending, serving or printing false process an offence**

- (1) Every person who —
- (a) sends, distributes or delivers to, or serves on, or causes to be sent, distributed or delivered to, or served on, any other person; or
  - (b) prints, publishes or sells, or offers or exhibits for sale, or causes to be printed, published or sold, or offered or exhibited for sale,

any paper or writing which is not a document published or issued out of or by or under the authority or with the sanction of any tribunal, but which in the opinion of the court before which any proceedings under this section are brought is intended or likely to convey to a person the impression that the paper or writing is a document published or issued out of or by or under the authority or with the sanction of any tribunal commits an offence against this Act.

Penalty: \$500.

- (2) In any proceedings under this section, if any person is named on any paper or writing mentioned in this section in such manner as to imply that he is the printer, publisher, seller or sender of the same, that person shall prima facie be deemed to be the person who printed, published, sold or sent that paper or writing.

*[Section 5 amended by No. 59 of 1979 s. 5.]*

**6. Penalties in case of bodies corporate**

Without affecting any other liability of any person under this Act or otherwise, a company or other body corporate shall be liable to the penalty for an offence under this Act as if it were a private person; and every director, manager, secretary or officer of that company, and every member of the managing body of any such body corporate, shall also be liable to the penalty for that offence.

**7. Consent of Attorney General to proceedings**

No proceedings for an offence against this Act shall be taken by any person without the consent in writing of the Attorney General.

**8. Other proceedings not affected**

Nothing in this Act shall be held to affect any other proceeding, civil or criminal, which might have been taken against any person if this Act had not been passed, but a person shall not be punished for the same offence under any such proceeding and under this Act.

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### **Notes**

- <sup>1</sup> This reprint is a compilation as at 7 May 2004 of the *Unauthorised Documents Act 1961* 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**

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Unauthorised Documents Act 1961</i>	8 of 1961	10 Oct 1961	17 Nov 1961 (see s. 2 and <i>Gazette</i> 17 Nov 1961 p. 3195)
<i>Unauthorised Documents Act Amendment Act 1979</i>	59 of 1979	12 Nov 1979	1 Feb 1980 (see s. 2 and <i>Gazette</i> 1 Feb 1980 p. 283)
<b>Reprint 1: The <i>Unauthorised Documents Act 1961</i> as at 7 May 2004</b> (includes amendments listed above)			

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