WESTERN AUSTRALIA

THE NEWSPAPER LIBEL AND REGISTRATION ACT 1884 AMENDMENT ACT 1888

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

Short title

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

Construction

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

Security for costs

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 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 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 full Court 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.*]

[*4. Section 4 repealed by No. 24 of 1957 s. 3.*]

Limitation of action

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 12 months from the date of the publication of such libel in such newspaper.

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

Fair and accurate report of a public meeting privileged

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 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).*]

Saving for prerogative

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.

Notes

[1] This reprint is a compilation as at 15 December 1988 of *The Newspaper Libel and Registration Act 1884 Amendment Act 1888* and includes all amendments effected by the other Acts referred to in the following Table.

Table of Acts

Act	Number and Year	Assent	Commencement	Miscellaneous
The Newspaper Libel and Registration Act 1884 Amendment Act 1888	52 Vict. No. 18 (1888)	7 December 1888	7 December 1888	
Criminal Code Act 1902, section 3 (2)	1 & 2 Edw. VII., No. 14 (1902)	19 February 1902	1 May 1902 (see section 2)	
Newspaper Libel and Registration Act Amendment Act 1957	24 of 1957	26 October 1957	26 October 1957	
Decimal Currency Act 1965	113 of 1965	21 December 1965	Sections 4 to 9: 14 February 1966 (see section 2); balance on assent	
Acts Amendment (Master, Supreme Court) Act 1979, Part 11	67 of 1979	21 November 1979	11 February 1980 (see *Gazette* 8 February 1980 p. 383)	