



Western Australia

Newspaper Libel and Registration Act 1884 Amendment Act 1888

Reprint 2: The Act as at 3 June 2005

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 - removed (because it was repealed or deleted from the law); or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 3rd 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 3 June 2005

Western Australia

Newspaper Libel and Registration Act 1884 Amendment Act 1888

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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

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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 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.

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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) | | | |

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