

INDECENT PUBLICATIONS.

No. 99 of 1973.

**AN ACT to amend the Indecent Publications Act,
1902-1972.**

[Assented to 28th December, 1973.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Indecent Publications Act Amendment Act, 1973.*

Short title
and citation.

(2) In this Act the Indecent Publications Act, 1902-1972 is referred to as the principal Act.

Approved for
Reprint 1st
May, 1973.

(3) The principal Act as amended by this Act may be cited as the Indecent Publications Act, 1902-1973.

Section 11
amended.

2. Section 11 of the principal Act is amended—

(a) by repealing subsection (5) and substituting the following subsections—

(5) Any person who in any shop exhibits a restricted publication in such a manner as to place it on view from inside or outside the shop commits an offence against this section.

(5a) Any person who in any street or public place, including a shop, advertises, publishes, distributes or exhibits any advertising material in such a manner as to inform any person—

(a) that a publication is a restricted publication; or

(b) that an identifiable place or person may be resorted to for the purpose of perusing or obtaining a publication referred to in that advertisement or advertising material in such a manner as to convey that it is a restricted publication,

commits an offence against this section, unless the advertising, publication, distribution or exhibition is done in good faith solely for the purpose of so informing only persons, or the servants or agents of persons, whose business is or includes the sale or distribution of publications. ; and

(b) as to subsection (7)—

(i) by deleting paragraph (b) and substituting the following paragraph—

(b) in the case of an offence referred to in subsection (5) of this section, all the restricted publications in respect of which the offence was committed;

and

(ii) by deleting the passage “paragraph (b) of subsection (5)” in lines one and two of paragraph (c), and substituting the passage “subsection (5a)”.
