

**PRINTING AND NEWSPAPERS ACT.**

**New South Wales**



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No. 46, 1973.**

An Act to make provision relating to the printing of certain documents and newspapers; to repeal the Printing Act 1899, and the Newspapers Act, 1898, and amend certain other Acts; and for purposes connected therewith. [Assented to, 8th May, 1973.]

**BE**

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**B**E it enacted by the Queen's Most Excellent Majesty, by No. 46, 1973  
and with the advice and consent of the Legislative  
Council and Legislative Assembly of New South Wales in  
Parliament assembled, and by the authority of the same, as  
follows:—

1. (1) This Act may be cited as the "Printing and  
Newspapers Act, 1973". Short title  
and  
commence-  
ment.

(2) This Act shall commence upon such day as may  
be appointed by the Governor in respect thereof and as may  
be notified by proclamation published in the Gazette.

2. In this Act, except in so far as the context otherwise  
indicates or requires— Interpreta-  
tion.

"document" includes a book, pamphlet, leaflet, circular,  
advertisement, poster, or magazine or other  
periodical publication, but does not include a  
newspaper;

"newspaper" means any paper containing public news,  
or observations thereon or upon any political  
matter, which is printed for sale or gratuitous  
distribution and published periodically at intervals  
not exceeding twenty-six days;

"printing" includes any mode of representing or  
reproducing in any document or newspaper any  
words, symbols, or pictures in any visible form.

3. (1) Subject to subsection (4), a person who prints  
any document which he knows, or has reason to believe, is  
intended to be sold or distributed (whether to the public  
Provisions  
in respect  
of certain  
printed  
documents.

**generally**

No. 46, 1973 generally or to a restricted class or number of persons) or to  
— be publicly displayed shall—

- (a) at the time of, or within twenty-four hours after, printing the document print on at least one copy of the document the name and address of the person for whom or on whose instructions the document was printed;
- (b) subject to paragraph (c), retain, for a period of six months from the date on which the document was printed, a copy of the document on which that name and address is so printed;
- (c) upon the request of a member of the police force made at any time during that period, produce or surrender the copy of the document so retained; and
- (d) at the time of the printing, print his name, or if he carries on business under a name registered under the Business Names Act, 1962, that name, the address of his place of business, and the year in which the document is printed on the front or first or last page of the document.

Penalty : \$400.

(2) Subject to subsections (3) and (4), no person shall sell, offer for sale, deliver, distribute, affix to any object or structure in a public place, leave in a public place or otherwise expose to public view, a document on which there have not been printed on the front or first or last page the name of the printer or the name under which he carries on business, the address of his place of business and the year in which the document was printed.

Penalty : \$400.

(3)

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(3) It shall be a defence if a person charged with an offence under subsection (2) proves that the document concerned—

- (a) was printed before the commencement of this Act;  
or
- (b) was not printed in the State.

(4) This section does not apply to—

- (a) any document containing only the name, address, telephone number, business or profession of a person and the designation of any article in which he deals;
- (b) any document relating to the sale of property by auction or otherwise;
- (c) documents intended for use as bills of exchange, promissory notes, bonds or other securities for the payment of money, bills of lading, policies of insurance, letters or powers of attorney, deeds, agreements or process of a court;
- (d) any document printed for the Crown in the right of a State (including this State) or of the Commonwealth, either House of Parliament of a State (including this State) or of the Commonwealth, any department of Government or any statutory body representing the Crown; or
- (e) any document or document belonging to any class of document which the Minister, by order, exempts from the application of this section.

(5) For the purposes of subsection (4) (d) "statutory body representing the Crown" has the meaning ascribed thereto in section 4 of the Local Government Act, 1919.

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**No. 46, 1973** **4.** (1) A person who prints a newspaper shall, at the time of the printing, print on the front or first or last page of the newspaper—

Provision  
in respect  
of printing  
and  
publishing  
newspapers.

(a) his name or if he carries on business under a name registered under the Business Names Act, 1962, that name, and the address of his place of business; and

(b) the name and address of the publisher of the newspaper.

Penalty : \$400.

(2) Subject to subsection (3), no person shall sell, offer for sale, deliver, distribute, affix to any object or structure in a public place, leave in a public place or otherwise expose to public view a newspaper on which the name of the printer or the name under which he carries on business, and the address of his place of business, and the name and address of the publisher, have not been printed on the front or first or last page of the newspaper.

Penalty : \$400.

(3) It shall be a defence if a person charged with an offence under subsection (2) proves that the newspaper concerned—

(a) was printed before the commencement of this Act; or

(b) was not printed in the State.

**Evidentiary.** **5.** A document or newspaper on which is printed a name purporting to be the name of—

(a) the printer of the document or newspaper;

(b) the person for whom or on whose instructions the document was printed; or

(c) the publisher of the newspaper,

shall

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shall be received by all courts and tribunals in any proceedings No. 46, 1973  
(whether criminal or civil) as prima facie evidence that the  
person whose name is so printed is—

- (d) the printer of the document or newspaper;
- (e) the person for whom or on whose instructions the document was printed; or
- (f) the publisher of the newspaper,

as the case may be.

6. A director, within the meaning of the Companies Act, 1961, or an employee, of a corporation which commits an offence arising under any provision of this Act is guilty of the same offence and may be punished accordingly unless he proves that—

- (a) the offence committed by the corporation was committed without his knowledge;
- (b) he was not in a position to influence the conduct of the corporation in relation to the commission of the offence by it; or
- (c) being in such a position, he used all due diligence to prevent the commission of the offence by the corporation.

7. (1) Each Act specified in column 1 of the Schedule is amended or repealed to the extent specified opposite that Act in column 2 of the Schedule.

(2) Notwithstanding the repeal of the Newspapers Act, 1898, sections 9, 15 and 18 of that Act shall continue to have effect in relation to any legal proceedings pending at the commencement of this Act.

(3) No person shall be liable under a recognisance entered into under Part III of the Newspapers Act, 1898, except for any penalty imposed or incurred before the commencement of this Act and for which he would otherwise have been liable under the recognisance.

## SCHEDULE

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## SCHEDULE

Sec. 7.

## REPEALS

Column 1		Column 2
Year and No. of Act	Short title	Extent of amendment or repeal
1898, No. 23 ..	Newspapers Act, 1898	Repeal the whole Act.
1899, No. 16 ..	Printing Act 1899 ..	Repeal the whole Act.
1919, No. 41 ..	Local Government Act, 1919.	Omit from the definition of "Newspaper" in section 4 the words "upon which is printed a statement that it is registered for transmission by post or under the Newspapers Act, 1898," and insert instead the words "registered at the General Post Office pursuant to the Post and Telegraph Act 1901-1971 of the Parliament of the Commonwealth,".
1923, No. 14 ..	Transfer of Records Act, 1923.	Omit section 6 (2). Omit section 6 (3). Omit the following from the First Schedule— "Newspapers Act, 1898. Printing Act 1899."
1934, No. 19 ..	Printing and Book Purchasers' Protection (Amendment) Act, 1934.	Omit section 1 (2). Omit sections 2 and 3.
1937, No. 35 ..	Statute Law Revision Act, 1937.	Omit so much of the Second Schedule as amends Act No. 16, 1899.

PRIVATE