

Unauthorised Documents Act 1922 No 6

[1922-6]



New South Wales

Status Information

Currency of version

Current version for 2 March 2004 to date (accessed 17 July 2024 at 23:37)

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Authorisation

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File last modified 5 March 2004

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Unauthorised Documents Act 1922 No 6



New South Wales

An Act to prevent the unauthorised printing or usage of the State coat of arms, and certain documents and forms; and for purposes incidental thereto or consequent thereon.

1 Name of Act

This Act may be cited as the *Unauthorised Documents Act 1922*.

2 Definitions

In this Act, unless the context otherwise requires:

Court means any court of justice in the State.

State means State of New South Wales.

3 (Repealed)

4 Sending or delivering false process

(1) Every person who sends or delivers to or serves on or causes to be sent or delivered to or served on any other person any paper or writing which is not an original or a copy of 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 in which or the judge before whom any proceedings under this section are brought is reasonably capable of conveying to such other person the impression that such paper or writing is an original or a copy of a document published or issued out of or by or under the authority or with the sanction of any tribunal shall be guilty of an offence and every person who 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 an original or a copy of a document published or issued as aforesaid, but which in the opinion of the court in which or the judge before whom any proceedings under this section are brought is reasonably capable of conveying to any person whomsoever the impression that such paper or writing is such an original or copy shall be guilty of an offence.

(1A) For the purposes of subsection (1), in determining whether a paper or writing is reasonably capable of conveying the impression that the paper or writing is an original or a copy of a document published or issued out of or by or under the authority or with

the sanction of any tribunal any statement in the paper or writing that or to the effect that:

- (a) it is not such a document or a copy of such a document, or
- (b) it is not intended to convey the impression that it is such a document or a copy of such a document,

shall be disregarded unless the statement is printed in a conspicuous position on the paper or writing and in a type that is more conspicuous than any other type used in the paper or writing.

(2) Every person guilty of an offence under this section:

- (a) shall be deemed guilty of a contempt of the Supreme Court and may be punished accordingly by such Court or a judge thereof in chambers upon the application of any person complaining thereof, or
- (b) shall be liable to a penalty of not more than 10 penalty units.

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

(4) In this section unless inconsistent with the context or subject-matter:

Document includes any notice claim demand or process or any document relating to any extra-judicial remedy and whether in existence or not.

Tribunal includes any court judge magistrate or public officer whether in or out of New South Wales and whether in existence or not.

5 Penalties etc 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 any penalty or punishment for any offence under this Act as if it were a private person so far as such penalty or punishment is enforceable against a company or body corporate; and every director manager secretary or officer of any such company and every member of the managing body or any such body corporate who commits or knowingly authorises or permits an offence under this Act shall also be liable to the penalty or punishment for that offence.

6 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 passed but no person shall be punished for the same offence under any such proceeding and under this Act.