

Parliamentary Papers (Supplementary Provisions) Act 1975 No 49

[1975-49]



New South Wales

Status Information

Currency of version

Current version for 1 January 2006 to date (accessed 23 July 2024 at 11:43)

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Provisions in force

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

Authorisation

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Parliamentary Papers (Supplementary Provisions) Act 1975 No 49



New South Wales

An Act to authorise the publication of Parliamentary papers; to provide a defence to certain proceedings against an authorised publisher; and for purposes connected therewith.

1 Name of Act

This Act may be cited as the *Parliamentary Papers (Supplementary Provisions) Act 1975*.

2 Commencement

This Act shall be deemed to have commenced on 1 July 1974.

3 Definitions

(1) In this Act, except in so far as the context or subject-matter otherwise indicates or requires:

Committee means a committee of both Houses or either House.

House means House of Parliament.

joint sitting means:

- (a) a joint sitting of the Members of the Legislative Council and the Members of the Legislative Assembly convened under section 5B (1) or 22D (1) of the *Constitution Act 1902*, or
- (b) the Houses sitting and voting together under section 15 of the Commonwealth of Australia Constitution Act.

(2) Notes included in this Act do not form part of this Act.

4 Publication of Parliamentary papers

- (1) Either House or a joint sitting may authorise the publication of a document laid before it.
- (2) A Committee may authorise the publication of a document received by it or evidence

given before it.

5 Authority to Government Printer to publish

- (1) When either House, a joint sitting or a Committee orders a document or evidence to be printed, the Government Printer is authorised to publish the document or evidence unless the contrary intention appears in the order.
- (2) The Government Printer is authorised to publish the reports of the debates and proceedings in each House and of a joint sitting.

6 Defence to proceedings brought in respect of publication of Parliamentary papers

Subject to section 7, it is a defence to any action or proceeding, civil or criminal, brought in respect of the publication of any document or any copy thereof or any evidence if it is proved that the publication of the document, the document from which the copy was made or the evidence, as the case may be, was authorised under section 4 or by section 5.

7 Proceedings for defamation

This Act does not operate so as to provide or affect a defence to an action or proceeding for defamation.

Note—

Section 27 (2) (a) of the [Defamation Act 2005](#) provides that the publication of defamatory matter in the course of proceedings of a parliamentary body attracts the defence of absolute privilege in defamation proceedings, including (but not limited to):

- (a) the publication of a document by order, or under the authority, of the body, and
- (b) the publication of the debates and proceedings of the body by or under the authority of the body or any law, and
- (c) the publication of matter while giving evidence before the body, and
- (d) the publication of matter while presenting or submitting a document to the body.

Section 4 of that Act defines a **parliamentary body** to include a parliament or legislature, a house of a parliament or legislature and committees of any such parliament, legislature or house.

8 Parliamentary privileges not affected

Nothing in this Act derogates from a power or privilege of either House, the Members of either House, or a Committee.