

## Legislative Council

### Defamation Amendment Bill

Schedule of the amendments agreed to in Committee of the Whole on  
Wednesday 5 December 2002.

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| <b><u>Oppn</u></b> | No. 1 | <p>Page 4, Schedule 1 [5], proposed section 8A. Insert after line 12:</p> <p>(3) Despite subsection (1), a corporation may assert or enforce a cause of action in defamation in respect of the publication of any matter by means of which a defamatory imputation about the corporation is made if:</p> <p>(a) the corporation employs fewer than 10 persons at the time of publication of the matter, and</p> <p>(b) the corporation has no subsidiaries (within the meaning of the <i>Corporations Act 2001</i> of the Commonwealth) at that time.</p> |
| <b><u>Govt</u></b> | No. 2 | <p>Page 5, Schedule 1 [6], proposed section 9D (3) (c), line 16. Omit “(if any)”. Insert instead “(if appropriate in the circumstances)”.</p>   |
| <b><u>Govt</u></b> | No. 3 | <p>Page 5, Schedule 1 [6], proposed section 9D (3) (d), line 19. Omit “(if any)”. Insert instead “(if appropriate in the circumstances)”.</p>   |
| <b><u>Govt</u></b> | No. 4 | <p>Page 5, Schedule 1 [6], proposed section 9D (3) (g), lines 30 and 31. Omit all words on those lines. Insert instead:</p> <p>(g) must include an offer to pay the expenses reasonably incurred by the aggrieved person before the offer was made and the expenses reasonably incurred by the aggrieved person in considering the offer,</p>   |
| <b><u>Govt</u></b> | No. 5 | <p>Page 6, Schedule 1 [6], proposed section 9D (5) (a), lines 17-19. Omit all words on those lines. Insert instead:</p> <p>(a) the end of 28 days after the day the aggrieved person gives the publisher notice in writing informing the publisher that the matter in question is or may be defamatory of the person, or</p>  |
| <b><u>Govt</u></b> | No. 6 | <p>Page 7, Schedule 1 [6], proposed section 9D. Insert after line 10:</p> <p>(12) An offer to make amends is taken to have been made without prejudice, unless the offer otherwise provides.</p>  |
| <b><u>Oppn</u></b> | No. 7 | <p>Pages 10 to 12, Schedule 1 [12] and [13], line 1 on page 10 to line 18 on page</p>   |

12. Omit all words on those lines.