This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

W. R. McCOURT, Clerk of the Legislative Assembly.

01

31

00

Legislative Assembly Chamber, Sydney, 7 June, 1939.

New South Wales.



ANNO TERTIO

GEORGII VI REGIS.

Act No. , 1939.

An Act to amend the Monopolies Act, 1923, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by 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 "Monopolies Short title (Amendment) Act, 1939."
- (2) The Monopolies Act, 1923, as amended by subsequent Acts, is in this Act referred to as the 10 Principal Act.

14931 233-

(3)

(3) The Principal Act, as amended by this Act, may be cited as the Monopolies Act, 1923-1939.

2. The Principal Act is amended by inserting next Amendment of after section seventeen the following new sections:

17A. No person shall, in any proceeding for an Persons to offence (other than an indictable offence) be excused answer guestions from answering any question, put either viva voce and produce documents. or by interrogatory, or from making any discovery cf. Australian Industries of, or producing, documents on the ground that the Preservation Act, 1906-1930 answer, discovery or production may criminate or (Common-10 tend to criminate him or make him liable to a penalty; but his answer shall not be admissible in evidence against him in any civil or criminal proceeding other than a proceeding for an offence against this Act (not being an indictable offence) or a 15 prosecution for perjury.

> In so far as this section relates to answering any question put by interrogatory or to the discovery or production of documents the word "person" includes

a corporation.

17B. In any proceeding for an offence or in any Minutes, action brought under section eighteen of this Act records, etc., wherein a combination in contravention of this Act evidence. is alleged, any book, document, paper or writing cf. Ibid. containing-

(a) any minute, note, record or memorandum of any proceeding at any meeting of the persons (or in cases where such persons are bodies corporate, of the agents of such persons) or of any of the persons (or their said agents) alleged to have been parties or privy to the combination; or

(b) any entry purporting to be a copy of or extract from any such book, document.

paper or writing.

shall, upon proof that it was produced by, or came from the custody of, those persons or any of them, or of a responsible officer or a representative of those persons or of any of them-

(i) be admissible in evidence against those persons; and

40

35

20

25

30

- 01

(ii) be evidence that the matter and things thereby appearing to have been done by those persons or any of them were so done, and that any person thereby appearing to have been present at the meeting was so present.

17c. In any proceeding for an offence or in any Books, action brought under section eighteen of this Act letters, documents, any book, letter, document, paper or writing, or etc., to be anything purporting to be a copy of or extract from evidence. any book, letter, document, paper or writing, con-tralian taining any reference to any matter or thing alleged Industries
Preservation to be done in contravention of this Act, shall, upon Act, 1906proof that it was produced by or came from the 1930 custody of a person charged with the offence, or a wealth), responsible officer or representative of that person—s. 14D.

- (a) be admissible in evidence against that person; and
- (b) be evidence of the matters and things thereby appearing, and that the book, letter, document, paper or writing (or in the case of a copy that the original thereof) was written, signed, despatched and received by the persons by whom it purports to have been written, signed, despatched and received, and that any such copy or extract is a true copy of or extract from the original of or from which it purports to be a copy or extract.

30 17D. Sections 17A, 17B, and 17c of this Act shall Application apply to all proceedings to which such sections are of sees. 17A, 17B and 17c. respectively made applicable instituted after the commencement of the Monopolies (Amendment) Act, 1939.

5

10

15

20

25

	Children in	A. Maria	activation (car	
			esi malaya sa (ii)	
			promise vilvani	
			Programme in the contract of t	
			eservice with bone	
			ees ee sii baa ee ee	ä
. W			ifo. In any proposition	
(2) (2) (2) (2) (2) (2) (2) (2) (2) (2)			netion brown an arrange	
chicamento.			any death action	
.00.10 [14]			n ski i sa kangana milikan	0.
			any book seem the contract taking any reconcert and	
pelves and				
			AND THE REPORT OF THE PARTY OF THE CONTROL OF THE C	
each parameth)			proof the light end of toniq	3
. Children			quality and a first or the state and	0
.121.3			connect to topico eliferação:	
			(a) the state of (a)	
			tal first	
			Mariona allivo en (d)	
			encenta di viloropi	0
			- Tracket Annunalia	
			3 2 10	
			n de la companya de l	
				ē.
				0.00
			10	
				U
1011			secondary to the contract of	
			combination many of the Mines. In 1979.	

1.54

New South Wales.



ANNO TERTIO

GEORGII VI REGIS.

Act No. 6, 1939.

An Act to amend the Monopolies Act, 1923, in certain respects; and for purposes connected therewith. [Assented to, 4th July, 1939.]

BE it enacted by the King's Most Excellent Majesty, by 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 "Monopolies Short title and citation."

(2) The Monopolies Act, 1923, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3)

(3) The Principal Act, as amended by this Act, may be cited as the Monopolies Act, 1923-1939.

2. The Principal Act is amended by inserting next after section seventeen the following new sections:—

17a. No person shall, in any proceeding for an offence (other than an indictable offence) be excused from answering any question, put either viva voce or by interrogatory, or from making any discovery of, or producing, documents on the ground that the answer, discovery or production may criminate or tend to criminate him or make him liable to a penalty; but his answer shall not be admissible in evidence against him in any civil or criminal proceeding other than a proceeding for an offence against this Act (not being an indictable offence) or a prosecution for periury.

In so far as this section relates to answering any question put by interrogatory or to the discovery or production of documents the word "person" includes

a corporation.

17B. In any proceeding for an offence or in any action brought under section eighteen of this Act wherein a combination in contravention of this Act is alleged, any book, document, paper or writing containing—

(a) any minute, note, record or memorandum of any proceeding at any meeting of the persons (or in cases where such persons are bodies corporate, of the agents of such persons) or of any of the persons (or their said agents) alleged to have been parties or privy to the combination; or

(b) any entry purporting to be a copy of or extract from any such book, document,

paper or writing,

shall, upon proof that it was produced by, or came from the custody of, those persons or any of them, or of a responsible officer or a representative of those persons or of any of them—

(i) be admissible in evidence against those persons; and

Amendment of Act No 54, 1923.

Persons to answer questions and produce documents. cf. Australian Industries Preservation Act, 1906-1930 (Commonwealth), s. 14B,

Minutes, records, etc., to be evidence. cf. *Ibid.* s. 14c.

(ii) be evidence that the matter and things thereby appearing to have been done by those persons or any of them were so done, and that any person thereby appearing to have been present at the meeting was so present.

17c. In any proceeding for an offence or in any Books, action brought under section eighteen of this Act letters, any book, letter, document, paper or writing, or documents, anything purporting to be a copy of or extract from evidence. any book, letter, document, paper or writing, con- cf. Austaining any reference to any matter or thing alleged Industries to be done in contravention of this Act, shall, upon Preservation proof that it was produced by or came from the 1930 custody of a person charged with the offence, or a (Commonwealth), responsible officer or representative of that person— s. 14D.

Act, 1906-

- (a) be admissible in evidence against that person: and
- (b) be evidence of the matters and things thereby appearing, and that the book, letter, document, paper or writing (or in the case of a copy that the original thereof) was written, signed, despatched and received by the persons by whom it purports to have been written, signed, despatched and received, and that any such copy or extract is a true copy of or extract from the original of or from which it purports to be a copy or extract.

17D. Sections 17A, 17B, and 17C of this Act shall Application apply to all proceedings to which such sections are of secs. 17A, respectively made applicable instituted after the commencement of the Monopolies (Amendment) Act, 1939.

17B and 17c.

By Authority:

I certify that this Public Bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

W. R. McCOURT, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 28 June, 1939.

New South Wales.



ANNO TERTIO

GEORGII VI REGIS.

Act No. 6, 1939.

An Act to amend the Monopolies Act, 1923, in certain respects; and for purposes connected therewith. [Assented to, 4th July, 1939.]

BE it enacted by the King's Most Excellent Majesty, by 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 "Monopolies short title (Amendment) Act, 1939."

(2) The Monopolies Act, 1923, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

W. W. HEDGES, Chairman of Committees of the Legislative Assembly.

(3) The Principal Act, as amended by this Act, may be cited as the Monopolies Act, 1923-1939.

2. The Principal Act is amended by inserting next after section seventeen the following new sections:—

17a. No person shall, in any proceeding for an offence (other than an indictable offence) be excused from answering any question, put either viva voce or by interrogatory, or from making any discovery of, or producing, documents on the ground that the answer, discovery or production may criminate or tend to criminate him or make him liable to a penalty; but his answer shall not be admissible in evidence against him in any civil or criminal proceeding other than a proceeding for an offence against this Act (not being an indictable offence) or a prosecution for perjury.

In so far as this section relates to answering any question put by interrogatory or to the discovery or production of documents the word "person" includes a corporation.

17B. In any proceeding for an offence or in any action brought under section eighteen of this Act wherein a combination in contravention of this Act is alleged, any book, document, paper or writing containing—

(a) any minute, note, record or memorandum of any proceeding at any meeting of the persons (or in cases where such persons are bodies corporate, of the agents of such persons) or of any of the persons (or their said agents) alleged to have been parties or privy to the combination; or

(b) any entry purporting to be a copy of or extract from any such book, document, paper or writing,

shall, upon proof that it was produced by, or came from the custody of, those persons or any of them, or of a responsible officer or a representative of those persons or of any of them—

(i) be admissible in evidence against those persons; and

Amendment of Act No 54, 1923.

Persons to answer questions and produce documents. cf. Australian Industries Preservation Act, 1906-1930 (Commonwealth), s. 14B.

Minutes, records, etc., to be evidence. cf. Ibid. s. 140.

(ii) be evidence that the matter and things thereby appearing to have been done by those persons or any of them were so done, and that any person thereby appearing to have been present at the meeting was so present.

17c. In any proceeding for an offence or in any Books, action brought under section eighteen of this Act letters, documents, any book, letter, document, paper or writing, or etc., to be anything purporting to be a copy of or extract from evidence. any book, letter, document, paper or writing, con-tralian taining any reference to any matter or thing alleged Industries to be done in contravention of this Act, shall, upon Act, 1906proof that it was produced by or came from the 1930 custody of a person charged with the offence, or a wealth), responsible officer or representative of that person— s. 14D.

- (a) be admissible in evidence against that person; and
- (b) be evidence of the matters and things thereby appearing, and that the book, letter, document, paper or writing (or in the case of a copy that the original thereof) was written, signed, despatched and received by the persons by whom it purports to have been written, signed, despatched and received, and that any such copy or extract is a true copy of or extract from the original of or from which it purports to be a copy or extract.

17D. Sections 17A, 17B, and 17c of this Act shall Application apply to all proceedings to which such sections are of secs. 17A, 17B and 17G. respectively made applicable instituted after the commencement of the Monopolies (Amendment) Act, 1939.

In the name and on behalf of His Majesty I assent to this Act.

> WAKEHURST. Governor.

Government House, Sydney, 4th July, 1939. The Street and the st to the second of the second of