

PRINTING AND NEWSPAPERS BILL.

*Schedule of the Amendment referred to in Legislative Council's
Message of 29 March, 1973.*

Page 6, clause 5, line 2. *After "as", insert "prima facie".*

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 21 March, 1973.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with
an Amendment.*

A. W. SAXON,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 29 March, 1973.*

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. , 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.

BE

Printing and Newspapers.

5 **B**E it enacted by the Queen'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 "Printing and Newspapers Act, 1973". Short title and commencement.

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

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

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

20 "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.

25 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

Printing and Newspapers.

generally or to a restricted class or number of persons) or to be publicly displayed shall—

- 5 (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;
- 10 (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
- 15 (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
- 20 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 other-

25 wise 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.

30 Penalty : \$400.

(3)

Printing and Newspapers.

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

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

(4) This section does not apply to—

- 10 (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;
- 15 (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;
- 20 (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
- 25 (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 30 thereto in section 4 of the Local Government Act, 1919.

Printing and Newspapers.

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
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5 (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.

10 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
15 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.

20 (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

25 (b) was not printed in the State.

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

(a) the printer of the document or newspaper;

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

(c) the publisher of the newspaper,

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Printing and Newspapers.

shall be received by all courts and tribunals in any proceedings (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;
 - 5 (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, 10 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—

- 15 (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
- 20 (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. Repeals and savings.

25 (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 30 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

Printing and Newspapers.

SCHEDULE

Sec. 7.

REPEALS

Column 1		Column 2	
Year and No. of Act	Short title	Extent of amendment or repeal	
5	1898, No. 23 ..	Newspapers Act, 1898	Repeal the whole Act.
	1899, No. 16 ..	Printing Act 1899 ..	Repeal the whole Act.
10	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,".
15			
20	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."
25			
	1934, No. 19 ..	Printing and Book Purchasers' Protection (Amendment) Act, 1934.	Omit section 1 (2). Omit sections 2 and 3.
30			
	1937, No. 35 ..	Statute Law Revision Act, 1937.	Omit so much of the Second Schedule as amends Act No. 16, 1899.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[10c]

Hunting and Fisheries

Section 1

REPAIRS

Year and Law	Chapter	Section
1977 No. 22	Chapter 10	Section 10
1977 No. 16	Chapter 10	Section 16
1977 No. 12	Chapter 10	Section 12
1977 No. 10	Chapter 10	Section 10
1977 No. 8	Chapter 10	Section 8
1977 No. 6	Chapter 10	Section 6
1977 No. 4	Chapter 10	Section 4
1977 No. 2	Chapter 10	Section 2

BY AUTHORITY OF THE GOVERNMENT

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- 10 (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
- 15 (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
- 20 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.

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- 20 (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
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6. A director, within the meaning of the Companies Act, ^{Liability of directors, etc., of corporations.} 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—

- 15 (a) the offence committed by the corporation was committed without his knowledge;
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BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

The Board of Directors of the American Telephone and Telegraph Company, Inc. has the honor to acknowledge the receipt of your letter of the 10th day of August, 1934, in relation to the proposed merger of the American Telephone and Telegraph Company, Inc. with the American Telephone and Telegraph Company, Inc.

Very truly yours,
W. S. K. FLETCHER
Secretary and Treasurer of the American Telephone and Telegraph Company, Inc.

Year	Amount	Balance
1933	100,000.00	100,000.00
1934	100,000.00	200,000.00
1935	100,000.00	300,000.00
1936	100,000.00	400,000.00
1937	100,000.00	500,000.00
1938	100,000.00	600,000.00
1939	100,000.00	700,000.00
1940	100,000.00	800,000.00
1941	100,000.00	900,000.00
1942	100,000.00	1,000,000.00
1943	100,000.00	1,100,000.00
1944	100,000.00	1,200,000.00
1945	100,000.00	1,300,000.00
1946	100,000.00	1,400,000.00
1947	100,000.00	1,500,000.00
1948	100,000.00	1,600,000.00
1949	100,000.00	1,700,000.00
1950	100,000.00	1,800,000.00
1951	100,000.00	1,900,000.00
1952	100,000.00	2,000,000.00
1953	100,000.00	2,100,000.00
1954	100,000.00	2,200,000.00
1955	100,000.00	2,300,000.00
1956	100,000.00	2,400,000.00
1957	100,000.00	2,500,000.00
1958	100,000.00	2,600,000.00
1959	100,000.00	2,700,000.00
1960	100,000.00	2,800,000.00
1961	100,000.00	2,900,000.00
1962	100,000.00	3,000,000.00
1963	100,000.00	3,100,000.00
1964	100,000.00	3,200,000.00
1965	100,000.00	3,300,000.00
1966	100,000.00	3,400,000.00
1967	100,000.00	3,500,000.00
1968	100,000.00	3,600,000.00
1969	100,000.00	3,700,000.00
1970	100,000.00	3,800,000.00
1971	100,000.00	3,900,000.00
1972	100,000.00	4,000,000.00
1973	100,000.00	4,100,000.00
1974	100,000.00	4,200,000.00
1975	100,000.00	4,300,000.00
1976	100,000.00	4,400,000.00
1977	100,000.00	4,500,000.00
1978	100,000.00	4,600,000.00
1979	100,000.00	4,700,000.00
1980	100,000.00	4,800,000.00
1981	100,000.00	4,900,000.00
1982	100,000.00	5,000,000.00
1983	100,000.00	5,100,000.00
1984	100,000.00	5,200,000.00
1985	100,000.00	5,300,000.00
1986	100,000.00	5,400,000.00
1987	100,000.00	5,500,000.00
1988	100,000.00	5,600,000.00
1989	100,000.00	5,700,000.00
1990	100,000.00	5,800,000.00
1991	100,000.00	5,900,000.00
1992	100,000.00	6,000,000.00
1993	100,000.00	6,100,000.00
1994	100,000.00	6,200,000.00
1995	100,000.00	6,300,000.00
1996	100,000.00	6,400,000.00
1997	100,000.00	6,500,000.00
1998	100,000.00	6,600,000.00
1999	100,000.00	6,700,000.00
2000	100,000.00	6,800,000.00
2001	100,000.00	6,900,000.00
2002	100,000.00	7,000,000.00
2003	100,000.00	7,100,000.00
2004	100,000.00	7,200,000.00
2005	100,000.00	7,300,000.00
2006	100,000.00	7,400,000.00
2007	100,000.00	7,500,000.00
2008	100,000.00	7,600,000.00
2009	100,000.00	7,700,000.00
2010	100,000.00	7,800,000.00
2011	100,000.00	7,900,000.00
2012	100,000.00	8,000,000.00
2013	100,000.00	8,100,000.00
2014	100,000.00	8,200,000.00
2015	100,000.00	8,300,000.00
2016	100,000.00	8,400,000.00
2017	100,000.00	8,500,000.00
2018	100,000.00	8,600,000.00
2019	100,000.00	8,700,000.00
2020	100,000.00	8,800,000.00
2021	100,000.00	8,900,000.00
2022	100,000.00	9,000,000.00
2023	100,000.00	9,100,000.00
2024	100,000.00	9,200,000.00
2025	100,000.00	9,300,000.00
2026	100,000.00	9,400,000.00
2027	100,000.00	9,500,000.00
2028	100,000.00	9,600,000.00
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15 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.

20 (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
- 25 (b) was not printed in the State.

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

Evidentiary.

- (a) the printer of the document or newspaper;
- 30 (b) the person for whom or on whose instructions the document was printed; or
- (c) the publisher of the newspaper,

shall

Printing and Newspapers.

shall be received by all courts and tribunals in any proceedings (whether criminal or civil) as evidence that the person whose name is so printed is—

- (d) the printer of the document or newspaper;
 - 5 (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, ^{Liability of directors, etc., of corporations.} 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—

- 15 (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
- 20 (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 ^{Repeals and savings.} is amended or repealed to the extent specified opposite that Act in column 2 of the Schedule.

25 (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.

30 (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

Printing and Newspapers.

SCHEDULE

Sec. 7.

REPEALS

Column 1		Column 2	
5	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.
10	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,".
15			
20	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."
25			
	1934, No. 19 ..	Printing and Book Purchasers' Protection (Amendment) Act, 1934.	Omit section 1 (2). Omit sections 2 and 3.
30			
	1937, No. 35 ..	Statute Law Revision Act, 1937.	Omit so much of the Second Schedule as amends Act No. 16, 1899.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[10c]

Column 2	Column 1	Column 3
Year and No. of Act	Short title	Form of amendment or
1928, No. 23	Printing Act 1928	Repealed the whole Act
1928, No. 15	Printing Act 1928	Repealed the whole Act
1918, No. 11	Local Government Act 1918	Only the section relating to "allowances in respect of law words" and the section relating to "allowances in respect of law words" were amended for the purpose of the Act, and the section relating to "allowances in respect of law words" was repealed. For other amendments see the notes on the table.
1912, No. 14	Printing and Bookbinding Act 1912	Only section 14 of the Act was amended.
1911, No. 12	Printing and Bookbinding (Amendment) Act 1911	Only section 14 of the Act was amended.
1911, No. 12	Printing and Bookbinding (Amendment) Act 1911	Only section 14 of the Act was amended.

No. , 1973.

A BILL

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.

[MR GRIFFITH—7 March, 1973.]

BE

Printing and Newspapers.

BE it enacted by the Queen'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
5 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
10 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.

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

20 "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.

25 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

Printing and Newspapers.

generally or to a restricted class or number of persons) or to be publicly displayed shall—

- 5 (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;
- 10 (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
- 15 (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
- 20 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.

30 Penalty : \$400.

(3)

Printing and Newspapers.

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

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

(4) This section does not apply to—

- 10 (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;
- 15 (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;
- 20 (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
- 25 (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 30 thereto in section 4 of the Local Government Act, 1919.

Printing and Newspapers.

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.

- 5 (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.

10 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.

20 (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
- 25 (b) was not printed in the State.

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

- (a) the printer of the document or newspaper;
- 30 (b) the person for whom or on whose instructions the document was printed; or
- (c) the publisher of the newspaper,

shall

Printing and Newspapers.

shall be received by all courts and tribunals in any proceedings (whether criminal or civil) as evidence that the person whose name is so printed is—

- (d) the printer of the document or newspaper;
 - 5 (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, ^{Liability of} 1961, or an employee, of a corporation which commits an ^{directors,} offence arising under any provision of this Act is guilty of the ^{etc., of} same offence and may be punished accordingly unless he ^{corporations.} proves that—

- 15 (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
- 20 (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 ^{Repeals} is amended or repealed to the extent specified opposite that ^{and} Act in column 2 of the Schedule. ^{savings.}

25 (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 ³⁰ 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

Printing and Newspapers.

SCHEDULE

Sec. 7.

REPEALS

Column 1		Column 2	
Year and No. of Act	Short title	Extent of amendment or repeal	
5	1898, No. 23 ..	Newspapers Act, 1898	Repeal the whole Act.
	1899, No. 16 ..	Printing Act 1899 ..	Repeal the whole Act.
10	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,".
15			
20	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."
25			
	1934, No. 19 ..	Printing and Book Purchasers' Protection (Amendment) Act, 1934.	Omit section 1 (2). Omit sections 2 and 3.
30			
	1937, No. 35 ..	Statute Law Revision Act, 1937.	Omit so much of the Second Schedule as amends Act No. 16, 1899.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[10c]

PROOF

PRINTING AND NEWSPAPERS BILL, 1973

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to require the printer of a document (as defined) to print his name and certain other matters on the document, except where the document is exempted from the requirement;
- (b) to require the printer of a document (as defined) to retain a copy of the document for a period of six months and produce any such copy if required by a member of the police force to do so, except where the document is exempted from the requirement;
- (c) to require the printer of a newspaper to print his name and address and the name and address of the publisher of the newspaper on the newspaper;
- (d) to make it an offence to sell or offer for sale a document or newspaper on which the matters required to be printed thereon have not been printed; and
- (e) to make other provisions consequential upon or ancillary to the foregoing.

PROOF

No. , 1973.

A BILL

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.

[MR GRIFFITH—7 March, 1973.]

BE

Printing and Newspapers.

5 **BE** it enacted by the Queen'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 "Printing and Newspapers Act, 1973". Short title and commencement.

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

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

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

20 "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.

25 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

Printing and Newspapers.

generally or to a restricted class or number of persons) or to be publicly displayed shall—

- 5 (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;
- 10 (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
- 15 (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
- 20 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.

30 Penalty : \$400.

(3)

Printing and Newspapers.

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

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

(4) This section does not apply to—

- 10 (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;
- 15 (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;
- 20 (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
- 25 (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 30 thereto in section 4 of the Local Government Act, 1919.

Printing and Newspapers.

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.

5 (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.

10 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
15 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.

20 (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

25 (b) was not printed in the State.

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

(a) the printer of the document or newspaper;

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

(c) the publisher of the newspaper,

shall

Printing and Newspapers.

shall be received by all courts and tribunals in any proceedings (whether criminal or civil) as evidence that the person whose name is so printed is—

- (d) the printer of the document or newspaper;
 - 5 (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, ^{Liability of directors, etc., of corporations.} 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—

- 15 (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
- 20 (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 ^{Repeals and savings.} is amended or repealed to the extent specified opposite that Act in column 2 of the Schedule.

25 (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.

30 (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

Printing and Newspapers.

SCHEDULE

Sec. 7.

REPEALS

Column 1		Column 2	
Year and No. of Act	Short title	Extent of amendment or repeal	
5	1898, No. 23 ..	Newspapers Act, 1898	Repeal the whole Act.
	1899, No. 16 ..	Printing Act 1899 ..	Repeal the whole Act.
10	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,".
15			
20	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."
25			
	1934, No. 19 ..	Printing and Book Purchasers' Protection (Amendment) Act, 1934.	Omit section 1 (2). Omit sections 2 and 3.
30			
	1937, No. 35 ..	Statute Law Revision Act, 1937.	Omit so much of the Second Schedule as amends Act No. 16, 1899.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

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

Printing and Newspapers.

BE it enacted by the Queen'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:—

Short title
and
commence-
ment.

1. (1) This Act may be cited as the "Printing and Newspapers Act, 1973".

(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.

Interpreta-
tion.

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

"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.

Provisions
in respect
of certain
printed
documents.

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

generally

Printing and Newspapers.

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)

Printing and Newspapers.

(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.

Printing and Newspapers.

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.

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

Evidentiary.

- (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

Printing and Newspapers.

shall be received by all courts and tribunals in any proceedings (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.

Liability of
directors,
etc., of
corporations.

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.

Repeals
and
savings.

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

Printing and Newspapers.

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.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
58 CHEMISTRY BUILDING
CHICAGO, ILLINOIS 60637
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THE UNIVERSITY OF CHICAGO
58 CHEMISTRY BUILDING
CHICAGO, ILLINOIS 60637

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 12 April, 1973, A.M.*

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

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

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

J. H. BROWN,
Chairman of Committees of the Legislative Assembly.

Printing and Newspapers.

BE it enacted by the Queen'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:—

Short title
and
commence-
ment.

1. (1) This Act may be cited as the "Printing and Newspapers Act, 1973".

(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.

Interpreta-
tion.

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

"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.

Provisions
in respect
of certain
printed
documents.

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

generally

Printing and Newspapers.

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)

Printing and Newspapers.

(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.

Printing and Newspapers.

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.

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

Printing and Newspapers.

shall be received by all courts and tribunals in any proceedings (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.

Liability of
directors,
etc., of
corporations.

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.

Repeals
and
savings.

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

Printing and Newspapers.

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.

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

JOHN R. KERR,
Administrator.

*Government House,
Sydney, 8th May, 1973.*

