

**DEFAMATION (TROTTHING AUTHORITY)
AMENDMENT ACT, 1978, No. 125**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 125, 1978.

An Act to amend the Defamation Act, 1974, to provide, in civil proceedings for defamation, defences in respect of appeals under the Trotthing Authority Act, 1977. [Assented to, 21st December, 1978.]

Defamation (Trotting Authority) Amendment.

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. **1.** This Act may be cited as the "Defamation (Trotting Authority) Amendment Act, 1978".

Amendment of Act No. 18, 1974. **2.** The Defamation Act, 1974, is amended—

Sec. 17E. (a) by inserting after section 17D the following section :—

Appeals under Trotting Authority Act, 1977.

17E. There is a defence of absolute privilege—

(a) for a publication in the course of an appeal under Part V of the Trotting Authority Act, 1977; and

(b) for a publication by the Trotting Authority of New South Wales or the Trotting Appeals Tribunal in an official report of its decision in respect of any such appeal and of the reasons for that decision.

Schedule 2. (b) (i) by omitting from clause 2 (11) of Schedule 2 the word "or";

(ii) by omitting from clause 2 (12) of Schedule 2 the matter "1977." and by inserting instead the following matter and subclause :—

1977; or

Defamation (Trotting Authority) Amendment.

- (13) without limiting the operation of any other subclause, proceedings on an appeal to the Trotting Authority of New South Wales or to the Trotting Appeals Tribunal under Part V of the Trotting Authority Act, 1977.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 21st December, 1978.*

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**DEFAMATION (TROTTING AUTHORITY)
AMENDMENT BILL, 1978**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Trotting Authority (Amendment) Bill, 1978.

The objects of this Bill are :—

- (a) to provide, in civil proceedings for defamation, a defence of absolute privilege for a publication in the course of an appeal under the Trotting Authority Act, 1977, and for a publication by the Trotting Authority of New South Wales or the Trotting Appeals Tribunal of its decision in respect of such an appeal and the reasons for that decision (clause 2 (a)); and
 - (b) to provide, in civil proceedings for defamation, a defence for the publication of a fair report of proceedings on any such appeal (clause 2 (b)).
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**DEFAMATION (TROTting AUTHORITY)
AMENDMENT BILL, 1978**

No. , 1978.

A BILL FOR

An Act to amend the Defamation Act, 1974, to provide, in civil proceedings for defamation, defences in respect of appeals under the Trotting Authority Act, 1977.

[MR BOOTH—5 *December*, 1978.]

Defamation (Trotting Authority) Amendment.

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 :—

5 **1.** This Act may be cited as the "Defamation (Trotting Authority) Amendment Act, 1978". Short title.

2. The Defamation Act, 1974, is amended—

Amendment
of Act No.
18, 1974.

(a) by inserting after section 17D the following section :— Sec. 17E.

17E. There is a defence of absolute privilege—

Appeals
under
Trotting
Authority
Act, 1977.

10 (a) for a publication in the course of an appeal under Part V of the Trotting Authority Act, 1977; and

15 (b) for a publication by the Trotting Authority of New South Wales or the Trotting Appeals Tribunal in an official report of its decision in respect of any such appeal and of the reasons for that decision.

(b) (i) by omitting from clause 2 (11) of Schedule 2 the word "or"; Schedule 2.

20 (ii) by omitting from clause 2 (12) of Schedule 2 the matter "1977." and by inserting instead the following matter and subclause :—

1977; or

Defamation (Trotting Authority) Amendment.

- (13) without limiting the operation of any other subclause, proceedings on an appeal to the Trotting Authority of New South Wales or to the Trotting Appeals Tribunal under Part V of the Trotting Authority Act, 1977.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

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