

CONCURRENCE COPY

DEFAMATION (PROBATION AND PAROLE) AMENDMENT BILL, 1983

EXPLANATORY NOTE

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

This Bill is cognate with the Probation and Parole Bill, 1983.

The object of this Bill is to amend Part III of the Defamation Act, 1974, so as to afford a defence of absolute privilege, within the meaning of that Act, for—

- (a) a publication of a report or other document pursuant to certain provisions of the proposed Probation and Parole Act, 1983; or
 - (b) a publication in the course of certain proceedings to be conducted under the proposed Act or in a report of those proceedings.
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**DEFAMATION (PROBATION AND PAROLE)
AMENDMENT BILL, 1983**

No. , 1983.

A BILL FOR

An Act to amend Part III of the Defamation Act, 1974, with respect to certain publications under the Probation and Parole Act, 1983.

[MR ANDERSON—24 *November*, 1983.]

Defamation (Probation and Parole) 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 Short title.

1. This Act may be cited as the "Defamation (Probation and Parole) Amendment Act, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

10 (2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified pursuant to section 2 (2) of the Probation and Parole Act, 1983.

Amendment of Act No. 18, 1974.

3. The Defamation Act, 1974, is amended by inserting after section 17c 15 the following section:—

Matters arising under Probation and Parole Act, 1983.

17CA. There is a defence of absolute privilege—

- (a) for a publication of a report or other document pursuant to Part III of the Probation and Parole Act, 1983;
- 20 (b) for a publication in the course of any proceedings of the Parole Board, a Division of the Parole Board or a committee constituted under clause 22 of Schedule 1 to the Probation and Parole Act, 1983; and
- 25 (c) for a publication by a body referred to in paragraph (b) of a report of any proceedings referred to in that paragraph.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1983

**DEFAMATION (PROBATION AND PAROLE)
AMENDMENT ACT, 1983, No. 196**

New South Wales



ANNO TRICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 196, 1983.

An Act to amend Part III of the Defamation Act, 1974, with respect to certain publications under the Probation and Parole Act, 1983.
[Assented to, 31st December, 1983.]

Defamation (Probation and Parole) 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 (Probation and Parole) Amendment Act, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified pursuant to section 2 (2) of the Probation and Parole Act, 1983.

Amendment of Act No. 18, 1974.

3. The Defamation Act, 1974, is amended by inserting after section 17c the following section:—

Matters arising under Probation and Parole Act, 1983.

17CA. There is a defence of absolute privilege—

- (a) for a publication of a report or other document pursuant to Part III of the Probation and Parole Act, 1983;
- (b) for a publication in the course of any proceedings of the Parole Board, a Division of the Parole Board or a committee constituted under clause 22 of Schedule 1 to the Probation and Parole Act, 1983; and
- (c) for a publication by a body referred to in paragraph (b) of a report of any proceedings referred to in that paragraph.

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

L. W. STREET,
By Deputation from
His Excellency the Governor.

Government House,
Sydney, 31st December, 1983.