

CONCURRENCE COPY

DEFAMATION (RACING APPEALS TRIBUNAL) AMENDMENT BILL, 1983

EXPLANATORY NOTE

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

This Bill is cognate with the Racing Appeals Tribunal Bill, 1983.

The object of this Bill is to amend the Defamation Act, 1974, to provide, in civil proceedings for defamation, defences in respect of—

- (a) proceedings on an appeal under the proposed Racing Appeals Tribunal Act, 1983; and
 - (b) a decision of the proposed Racing Appeals Tribunal, and the reasons therefor, on any such appeal.
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СОСРЕДЬЕКСЕ СОБА

**DEFAMATION (RACING APPEALS TRIBUNAL)
AMENDMENT BILL, 1983**

No. , 1983.

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 Racing Appeals Tribunal Act, 1983.

[MR CLEARY—21 *September*, 1983.]

Defamation (Racing Appeals Tribunal) 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 (Racing Appeals Tribunal) Amendment Act, 1983".

Commencement.

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

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Racing Appeals Tribunal Act, 1983.

Amendment of Act No. 18, 1974.

15 3. The Defamation Act, 1974, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE DEFAMATION ACT, 1974.

20 (1) Section 17DA—

After section 17D, insert:—

Appeals under the Racing Appeals Tribunal Act, 1983.

17DA. There is a defence of absolute privilege—

25 (a) for a publication in the course of an appeal under the Racing Appeals Tribunal Act, 1983; and

Defamation (Racing Appeals Tribunal) Amendment.

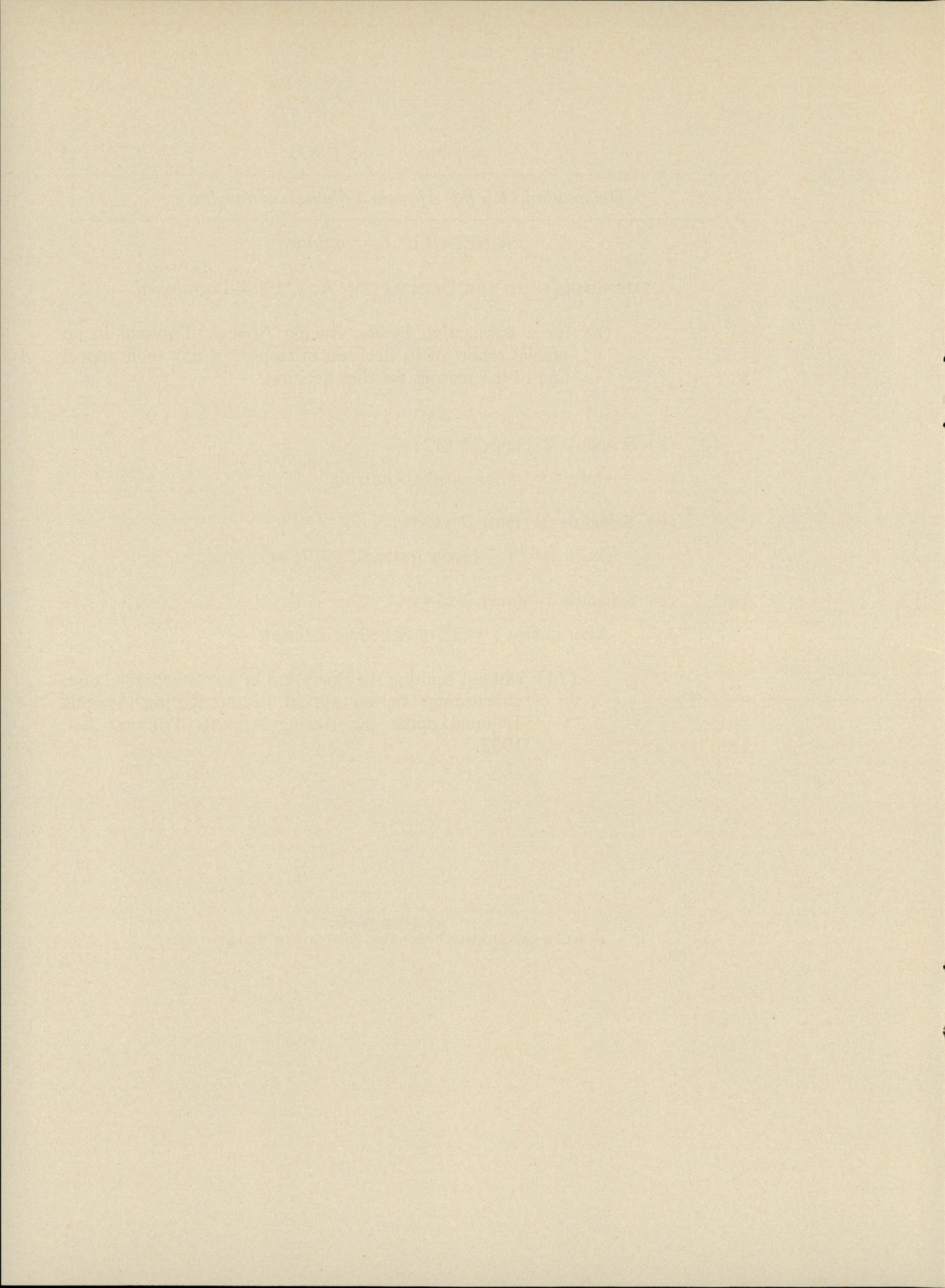
SCHEDULE 1—*continued.*

AMENDMENTS TO THE DEFAMATION ACT, 1974—*continued.*

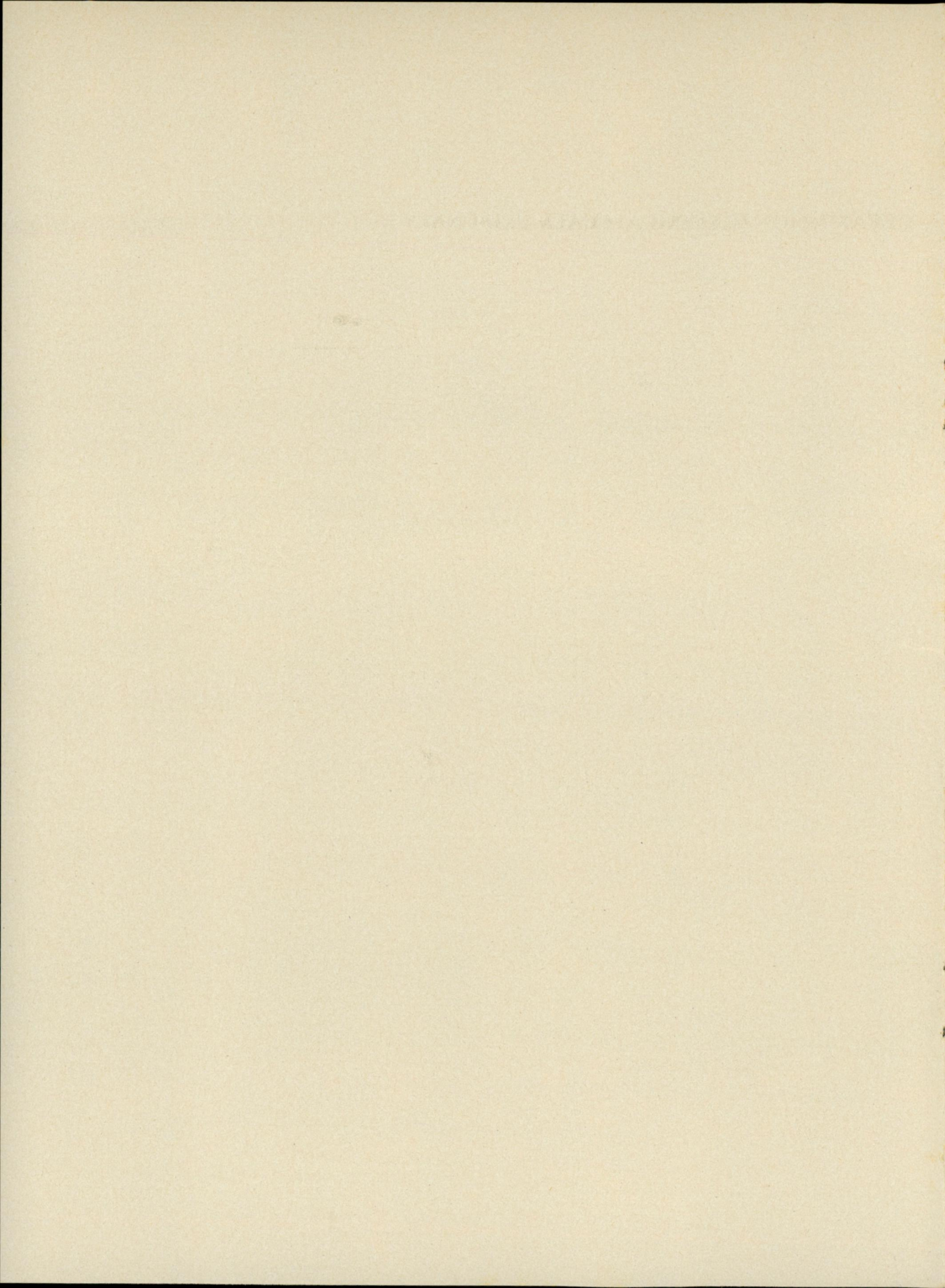
- 5 (b) for a publication by the Racing Appeals Tribunal in an official report of its decision in respect of any such appeal and of the reasons for that decision.
- (2) (a) Schedule 2, clause 2 (12)—
Omit “or” where lastly occurring.
- (b) Schedule 2, clause 2 (13)—
Omit “1977.”, insert instead “1977; or”.
- 10 (c) Schedule 2, clause 2 (14)—
After clause 2 (13) of Schedule 2, insert:—
- 15 (14) without limiting the operation of any other subclause, proceedings on an appeal to the Racing Appeals Tribunal under the Racing Appeals Tribunal Act, 1983.

BY AUTHORITY

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



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**DEFAMATION (RACING APPEALS TRIBUNAL)
AMENDMENT ACT, 1983, No. 200**

New South Wales



ANNO TRICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 200, 1983.

An Act to amend the Defamation Act, 1974, to provide, in civil proceedings for defamation, defences in respect of appeals under the Racing Appeals Tribunal Act, 1983. [Assented to, 31st December, 1983.]

Defamation (Racing Appeals Tribunal) 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 (Racing Appeals Tribunal) 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 under section 2 (2) of the Racing Appeals Tribunal Act, 1983.

Amendment of Act No. 18, 1974.

3. The Defamation Act, 1974, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE DEFAMATION ACT, 1974.

(1) Section 17DA—

After section 17D, insert:—

Appeals under the Racing Appeals Tribunal Act, 1983.

17DA. There is a defence of absolute privilege—

(a) for a publication in the course of an appeal under the Racing Appeals Tribunal Act, 1983; and

Defamation (Racing Appeals Tribunal) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE DEFAMATION ACT, 1974—*continued.*

- (b) for a publication by the Racing Appeals Tribunal in an official report of its decision in respect of any such appeal and of the reasons for that decision.
- (2) (a) Schedule 2, clause 2 (12)—
Omit “or” where lastly occurring.
- (b) Schedule 2, clause 2 (13)—
Omit “1977.”, insert instead “1977; or”.
- (c) Schedule 2, clause 2 (14)—
After clause 2 (13) of Schedule 2, insert:—
- (14) without limiting the operation of any other subclause, proceedings on an appeal to the Racing Appeals Tribunal under the Racing Appeals Tribunal Act, 1983.

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.*

