

# AUSTRALIAN CAPITAL TERRITORY

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## New South Wales Acts Application (Amendment) Ordinance 1984

No. 58 of 1984

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 26 October 1984.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

GARETH EVANS  
Attorney-General

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An Ordinance to amend the *New South Wales Acts Application Ordinance 1984*

### Short title

1. This Ordinance may be cited as the *New South Wales Acts Application (Amendment) Ordinance 1984*.<sup>1</sup>

### Schedule 2—defamation

2. Schedule 2 to the *New South Wales Acts Application Ordinance 1984*<sup>2</sup> is amended—

- (a) by omitting paragraph 5 (c) of the Act set out in Part 12 of that Schedule; and
- (b) by inserting after section 5 of the Act set out in Part 12 of that Schedule the following section:

**Publication of Parliamentary reports, etc.**

“5A. (1) Subject to sub-section (2), in any criminal proceedings or civil action in respect of the publication of matter carrying a defamatory imputation it is a defence that the publication was of—

- (a) a report, paper, votes or proceedings published by order, or under the authority, of a parliamentary body or a committee of such a body;
- (b) a copy of any such report, paper, votes or proceedings; or
- (c) a fair extract from, or fair abstract or fair summary of, any such report, paper, votes or proceedings.

“(2) The defence referred to in sub-section (1) is not available if it is proved that the defendant did not publish the matter in good faith for public information or the advancement of education.

“(3) In sub-section (1), ‘parliamentary body’ means—

- (a) either House of the Parliament of the Commonwealth;
- (b) the Parliament, or a House of the Parliament, of a State; and
- (c) the Legislative Assembly of the Northern Territory of Australia.”.

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**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 30 October 1984.
2. No. 41, 1984.