

Hon. Sir Francis Bell.

LAW OF LIBEL FURTHER AMENDMENT.

Title.	ANALYSIS.
1. Short Title.	3. Evidence as to publisher or printer of publications published in parts. Repeal.
2. Qualified privilege in respect of certain publications. Repeals.	4. Repeals.

A BILL INTITULED

AN Act to further amend the Law of Libel and Slander.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Law of Libel Further Amendment Act, 1921, and shall be read together with and deemed part of the Law of Libel Amendment Act, 1910 (hereinafter referred to as the principal Act).

Short Title.

2. (1.) In any action or prosecution for a defamatory libel the publication of any of the following matters shall be deemed privileged, in the absence of proof of malice:—

Qualified privilege in respect of certain publications.

(a.) A fair and accurate report of the proceedings of either House of Parliament, or of any Committee thereof:

(b.) A copy of, or an extract from or a fair abstract of, any paper published by order or under the authority of either House of Parliament:

(c.) A copy of, or a fair abstract of any notice or report issued by or at the request of any Government office or Department, or officer of State, so far as such notice or report relates to matters of public concern:

(d.) A fair and accurate report of the proceedings of any Court exercising judicial authority whether in New Zealand or elsewhere, whether such proceedings are preliminary or interlocutory or final, and whether in open Court or not, or of the result of any such proceedings, unless in the case of proceedings the publication of which has been prohibited the matter published is in breach of any prohibition by the Court, or unless the matter published is blasphemous or obscene:

(e.) A fair and accurate report of the proceedings of any inquiry held under the authority of any Act, or under the authority

of the Governor-General in Council, or a true copy of or a fair and accurate extract from or abstract of any official report made by the person by whom the inquiry was held :

- (f.) A fair and accurate report of the acts and proceedings of 5  
the Executive Government, or of any Department or  
officer thereof, so far as the publication of such report  
is authorized or requested by a Minister of the Crown :
- (g.) A fair and accurate report of the proceedings of any 10  
local authority, or body of trustees or other persons,  
constituted under the provisions of any Act or Provincial  
Ordinance for the discharge of public functions, or of a  
committee of any such local authority or body, so far as  
the report relates to matters of public concern :
- (h.) A fair and accurate report of the proceedings of any 15  
meeting of creditors held under any law for the time  
being in force relating to bankruptcy :
- (i.) A fair and accurate report of the proceedings of any  
meeting of shareholders or debenture-holders of any  
bank or public company so far as the report relates to 20  
matters of public concern :
- (j.) A fair and accurate report published in any newspaper of  
the proceedings of any public meeting, so far as the  
matter published relates to matters of public concern.  
The term "public meeting" means any meeting lawfully 25  
held for a lawful purpose and for the furtherance and  
discussion of any matter of public concern or for the  
advocacy of the candidature of any person for a public  
office, whether the admission thereto is general or  
restricted. 30

*Struck out.*

(2.) In the case of a publication in a newspaper of a report of  
any such proceedings as are mentioned in paragraphs (g), (h), (i),  
and (j) of subsection one of this section it is evidence of a want of  
good faith affecting privilege if the proprietor, publisher, or editor 35  
has been requested by the person defamed to publish in the newspaper  
a reasonable letter or statement by way of contradiction or explana-  
tion of the defamatory matter, and has failed to publish the same as  
soon after such request as he had a reasonable opportunity of so  
doing. 40

*New.*

(2.) In the case of a publication in any newspaper of any such  
report or abstract the protection intended to be afforded by this  
section shall not be available in any civil or criminal proceedings if it  
is proved that the defendant has been requested by the person 45  
defamed to publish in that newspaper a reasonable letter or state-  
ment by way of contradiction or explanation of the defamatory  
matter, and has, without reasonable justification, refused or neglected  
to publish the same within a reasonable time.

(2A.) It is a question of law whether the matter published 50  
relates to matters of public concern; and in the case of the report

in a newspaper of the proceedings of a public meeting it is a question of law whether the meeting was lawfully held for a lawful purpose and for the furtherance and discussion of a matter or matters of public concern.

5 (3.) Nothing in this section shall be so construed as to take away or restrict any privilege existing at common law.

(4.) Sections two and three of the principal Act are hereby repealed. Repeals.

10 3. (1.) On the trial of an action or prosecution for unlawfully publishing defamatory matter contained in a newspaper or a book published in numbers or in parts, after evidence sufficient in the opinion of the Court has been given of the publication by the defendant of the number or part of the newspaper or book containing the matter complained of, other writings or prints purporting to be other numbers or parts of the same newspaper or book formerly or subsequently published, and containing a printed statement that they were published by or for the defendant, or by or for an incorporated company or association of which the defendant is manager or of whose publications he has the supervision, shall be 20 admissible in evidence on either side, without further proof of publication of them.

Evidence as to publisher or printer of publications published in parts.

(2.) Section nine of the principal Act is hereby repealed. Repeal.

25 4. Subsection two of section ten and section eleven of the principal Act and section two hundred and thirty-six of the Crimes Act, 1908, are hereby repealed. Repeals.