

REPEALED: See Act, 196: **No.**



ANALYSIS

<p>Title</p> <p>1. Short Title</p> <p>2. Penalties for offences</p> <p>3. Repealing provisions as to jurisdiction of Magistrates</p>	<p>4. Repealing provisions as to registration of distributors of printed matter</p> <p>5. Printed matter to be marked with name and address of publisher or wholesale distributor</p>
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1958, No. 16

An Act to amend the Indecent Publications Act 1910

[18 September 1958]

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

1. Short Title—This Act may be cited as the Indecent Publications Amendment Act 1958, and shall be read together with and deemed part of the Indecent Publications Act 1910 (hereinafter referred to as the principal Act).

2. Penalties for offences—(1) Section three of the principal Act is hereby amended by omitting the words “and is liable on summary conviction to a fine of fifty pounds, or, when the offence is wilfully committed, to a fine of one hundred pounds or to imprisonment for three months”.

(2) Section three of the principal Act is hereby further amended by adding the following subsections as subsections two to five thereof:

“(2) Every person who commits an offence against subsection one of this section is liable on summary conviction to a fine not exceeding fifty pounds.

“(3) Every person commits an offence who wilfully does any act mentioned in subsection one of this section.

“(4) Every person who commits an offence against subsection three of this section is liable on summary conviction—

“(a) In the case of an individual, to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months:

“(b) In the case of a body corporate, to a fine not exceeding three hundred pounds.

“(5) Every person charged with an offence against subsection three of this section may be convicted of an offence against subsection one of this section.”

(3) Section eight of the principal Act is hereby amended as follows:

(a) By inserting, after the words “paragraph (h)”, the words “of subsection one”:

(b) By omitting the words “this Act”, and substituting the words “that subsection”.

(4) Section fifteen of the Indecent Publications Amendment Act 1954 is hereby amended by repealing subsection one, and substituting the following subsection:

“(1) Every person who acts in contravention of or fails to comply in any respect with any provision of this Act commits an offence against the principal Act, and is liable on summary conviction to a fine not exceeding fifty pounds.”

3. Repealing provisions as to jurisdiction of Magistrates—Section eleven of the principal Act is hereby repealed.

4. Repealing provisions as to registration of distributors of printed matter—(1) The Indecent Publications Amendment Act 1954 is hereby amended by repealing subsection two of section four, sections five to nine, and section eleven.

(2) The Indecent Publications Regulations 1954 are hereby revoked.

5. Printed matter to be marked with name and address of publisher or wholesale distributor—(1) The Indecent Publications Amendment Act 1954 is hereby amended by repealing section ten, and substituting the following section:

“10. (1) Except as provided in subsection four of this section, no person shall publish any printed matter published in New Zealand, unless each separate article is printed or stamped with his name and address.

“(2) Except as provided in subsection three or subsection four of this section, no wholesale distributor shall sell or distribute any printed matter published elsewhere than in New Zealand, unless each separate article so sold or distributed is printed or stamped with his name and address.

“(3) Nothing in subsection two of this section shall apply with respect to—

“(a) Any book bearing the name of the publisher, if the name and address of the publisher have been notified by the wholesale distributor to the Secretary as those of a publisher of books imported by him:

“(b) Any magazine or periodical the title of which has been notified by the wholesale distributor to the Secretary as a title imported by him.

“(4) The Minister may from time to time, by notice in the *Gazette*, grant exemptions from compliance with the provisions of subsection one or subsection two of this section in respect of any printed matter or class of printed matter specified or described in the notice, and may from time to time in like manner amend or revoke any such notice.”

(2) Section four of the Indecent Publications Amendment Act 1954 is hereby amended as follows:

(a) By repealing the definition of the term “distributor” in subsection one:

(b) By repealing paragraph (c) of the definition of the term “printed matter” in subsection one:

(c) By adding to subsection one the following definition:

“‘Wholesale distributor’ means any person who imports for sale in New Zealand otherwise than to the public any printed matter published outside New Zealand.”
