

## New Zealand.



### ANALYSIS.

Title.  
1. Short Title.

2. Search-warrant and subsequent proceedings.  
3. Appeal.

1906, No. 35.

AN ACT to amend "The Offensive Publications Act, 1892." Title.  
[29th October, 1906.]

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

1. The Short Title of this Act is "The Offensive Publications Act, 1906"; and it shall form part of and be read together with "The Offensive Publications Act, 1892" (hereinafter referred to as "the principal Act"). Short Title.

2. (1.) Where on the complaint on oath of any person that he has reason to believe and does believe that any obscene picture or printed or written matter is kept in any place for the purpose of sale or distribution or exhibition for purposes of gain, and such person further makes oath that within the space of three months then last past one or more articles of the like character have been sold, distributed, exhibited, or otherwise published for gain at or in connection with such place, any Justice may, if satisfied that any article so kept is such that its publication would be an offence against the principal Act, give authority by warrant to any constable to enter into or upon such place, with such assistance as may be necessary, in the daytime, and if necessary to use force, by breaking open doors or otherwise, and to search for and seize all such pictures or printed or written matter as aforesaid. Search-warrant and subsequent proceedings.

(2.) All the articles so seized shall be brought before any Justice, who shall thereupon issue a summons calling upon the occupier of the place so entered to appear within seven days before two or more Justices to show cause why the articles seized should not be destroyed.

(3.) If on the hearing of such summons the Justices are satisfied that such articles or any of them are of the character stated in the warrant, and have been kept for any of the purposes aforesaid, the said Justices shall order the articles seized (except such of them as they consider necessary to be preserved as evidence in any further

proceedings) to be destroyed at the expiration of the time allowed for lodging an appeal, unless notice of appeal is given, and such articles shall in the meantime be impounded.

(4.) If the Justices are satisfied that the articles seized are not of the character stated in the warrant, or have not been kept for any of the purposes aforesaid, they shall forthwith direct them to be restored to the occupier of the place in which they were seized.

Appeal.

3. Any person aggrieved by any act or determination of Justices under this Act may (whatever the amount involved) appeal therefrom in the manner provided by "The Justices of the Peace Act, 1882."