

the Commonwealth shall be liable to pay to any person who had any right, title or interest in the prescribed substance or minerals, or to the person who has suffered the loss or damage, as the case may be, such compensation as is agreed on between the Commonwealth and that person or, in default of agreement, is determined by action against the Commonwealth in any court of competent jurisdiction.

15. A person shall not—

Offences.

- (a) contravene or fail to comply with any provision of this Act or of any order under this Act;
- (b) refuse or fail to comply with any requirement made of him under this Act; or
- (c) refuse or fail to comply with or observe any term or condition subject to which a licence has been granted to him.

Penalty: Five hundred pounds or imprisonment for six months, or both.

(2.) In addition to any other punishment, the court by which a person is convicted of an offence against this Act or the regulations may order the forfeiture to the Commonwealth of any substance belonging to that person in respect of which the offence has been committed.

16. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which are by this Act required or permitted to be prescribed, or which are necessary or convenient to be prescribed for giving effect to this Act, and, in particular, for prescribing penalties not exceeding Twenty pounds for any offence against the regulations.

Regulations.

## PARLIAMENTARY PAPERS.

### No. 35 of 1946.

## An Act to amend the *Parliamentary Papers Act 1908-1935.*

[Assented to 14th August, 1946.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Parliamentary Papers Act 1946.*

Short title  
and citation.

(2.) The *Parliamentary Papers Act 1908-1935\** is in this Act referred to as the Principal Act.

\* Act No. 16 of 1908, as amended by Act No. 64 of 1935.

(3.) The Principal Act, as amended by this Act, may be cited as the *Parliamentary Papers Act 1908-1946*.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

3. After section one of the Principal Act the following section is inserted :—

Definition.

“1A. In this Act, ‘Committee’ means a Committee of either House or of both Houses of the Parliament.”.

Publication of Parliamentary Papers.

4. Section two of the Principal Act is amended by adding at the end thereof the following sub-section :—

“(2.) It shall be lawful for a Committee to authorize the publication of any document laid before it or of any evidence given before it.”.

Authority to Government Printer to publish.

5. Section three of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section :—

“(1.) When either House of the Parliament or a Committee has ordered a document or evidence to be printed, that House or Committee shall be deemed, unless the contrary intention appears in the order, to have authorized the Government Printer to publish the document or evidence.”.

6. Section four of the Principal Act is repealed and the following section inserted in its stead :—

No action for publishing Parliamentary Papers.

“4.—(1.) No action or proceeding, civil or criminal, shall lie against any person for publishing any document or evidence published under an authority given in pursuance of section two of this Act.

“(2.) The defendant, in any action or prosecution commenced in respect of the publication of any document or evidence published under an authority given in pursuance of section two of this Act, may bring before the court in which the action or prosecution is pending or before any judge thereof, first giving twenty-four hours’ notice of his intention so to do to the plaintiff or prosecutor, a certificate under the hand of the President or Clerk of the Senate, the Speaker or Clerk of the House of Representatives, or the Chairman of the Committee, as the case requires, stating that the document or evidence in respect of which the action or prosecution has been commenced was published under that authority, together with an affidavit verifying the certificate, and the court or judge shall thereupon immediately stay the action or prosecution and may order the plaintiff or prosecutor to pay the defendant his costs of defence.”.

Application of Act.

7. Section five of the Principal Act is amended by adding at the end thereof the words “ and to documents and evidence published by the authority of a Committee after the twenty-third day of September, One thousand nine hundred and forty-three ”.