

*Indecent Publications.*

Act No. 2, 1900.

An Act to suppress indecent and obscene publications. [23rd July, 1900.]

INDECENT PUBLICATIONS.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same as follows :—

1. Any person who—

- (1) publishes a newspaper containing any advertisement or report which is of an indecent or obscene nature ; or Publishing indecent advertisements or reports in newspaper.
- (2) gives or delivers to any other person any picture or printed or written matter which is of an indecent or obscene nature, with the intent that the same or a copy thereof, or any part of such matter or a copy thereof, should be published as an advertisement in any newspaper ; or Delivering such advertisements for publication in newspaper.
- (3) affixes to or inscribes on any house, building, wall, hoarding, gate; fence, pillar, board, tree, or any other thing whatsoever, so as to be visible to a person being in or passing along any street, public highway, or footpath, or affixes to or inscribes on any public urinal, or delivers or attempts to deliver, or exhibits to any person, or throws down the area of any house or into the garden or curtilage of any house, or exhibits to public view in the window of any house or shop, or otherwise publishes any picture or printed or written matter which is of an indecent or obscene nature ; or Affixing indecent or obscene pictures or writings.
- (4) gives or delivers to any other person any such pictures or printed or written matter, with the intent that the same, or some one or more thereof, or a copy of any such picture or printed or written matter should be affixed, inscribed, delivered, exhibited, or otherwise published in contravention of the provisions of this section ; or Sending others to do acts punishable under this section.
- (5) posts or causes to be posted for transmission by post any picture, or printed or written matter, which is of an indecent or obscene nature ; or Posting indecent pictures and printed matter.
- (6) prints any picture or printed matter published or posted in contravention of this Act, Printing indecent pictures or printed matter.

shall be liable to a penalty not exceeding twenty pounds, or, in the discretion of the Court, to imprisonment for a term not exceeding six months, with or without hard labour.

2. Informations for offences against this Act may be heard and determined in a court of petty sessions. Penalty. Imposition of penalties.

Such matter may be destroyed.

**3.** Where any postmaster has reason to believe that any newspaper, packet, or parcel posted as aforesaid contains any picture or printed matter which is of an indecent or obscene nature, he may cause the newspaper, packet, or parcel to be forwarded to the Postmaster-General; and the Postmaster-General may cause the newspaper, packet, or parcel to be opened, and if it is found to contain any such picture or printed matter, may cause such newspaper, packet, or parcel, and the contents thereof, to be destroyed, or may otherwise dispose of the same.

Certain advertisements, &c., declared indecent.

**4.** Any advertisement, picture, or printed or written matter relating to any complaint or infirmity arising from or relating to sexual intercourse, or to nervous debility, or female irregularities, which might reasonably be construed as relating to any illegal medical treatment or illegal operation shall be deemed to be an advertisement, picture, or printed or written matter which is of an indecent nature within the meaning of this Act.

Savings.

**5.** Nothing in this Act relates to the delivery or exhibiting in the window of any shop, or the posting or causing to be posted for transmission by post for any lawful purpose, of any bona-fide medical work or treatise. But in any prosecution for an offence against this Act the burden of proof that a publication is a bona-fide medical work or treatise shall lie on the defendant.

Commencement and short title.

**6.** This Act may be cited as the "Indecent Publications Act, 1900."

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