

# LEGISLATIVE ASSEMBLY

Read 1° 27 November 1980

*(Brought from the Legislative Council)*

## A BILL

for

An Act to amend the *Police Offences Act 1958* with respect to restricted publications, and for other purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

1. (1) This Act may be cited as the *Police Offences (Restricted Publications) Act 1980*. Short title.

(2) In this Act the *Police Offences Act 1958* is called the Principal Act. Principal Act No. 6337. Reprinted to No. 8433. Subsequently amended by Acts Nos. 9012, 9019, 9250 and 9427.

10 (3) This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

2. The Principal Act is amended as follows:

15 (a) In section 180i, for the expression "(1) Where" there shall be substituted the expression "(1) Subject to sub-section (1A), where"; Amendment of No. 6337. Restrictions on display, &c. of certain publications.

- (b) In section 180i (1) (a), for the expression “, delivered, exhibited or displayed” there shall be substituted the words “or delivered”;
- (c) The word “or” between section 180i (1) (c) and section 180i (1) (d) is repealed; 5
- (d) After section 180i (1) there shall be inserted the following sub-section:  
 “(1A) Where the Board classifies a publication as a restricted publication, the Board may give any of the following directions: 10
- (a) a direction that the publication is not subject to the restriction mentioned in paragraph (c) of sub-section (1);
- (b) a direction that the publication is not subject to the restriction mentioned in paragraph (d) of sub-section (1); 15
- (c) a direction that the publication is not subject to the restrictions mentioned in paragraph (c) and paragraph (d) of sub-section (1)—  
 and the direction has effect according to its tenor.”; 20
- (e) In section 180i (2), after the expression “sub-section (1)” there shall be inserted the words “and to which that publication is subject”;
- (f) The word “or” between section 180JA (1) (a) and section 180JA (b) is repealed; 25
- (g) After section 180JA (1) (b) there shall be inserted the following expression:  
 “(c) where the Board has given a direction in respect of a restricted publication pursuant to the provisions of section 180i (1A)—that the direction be revoked 30  
 or varied; or  
 (d) that the Board review its decision not to give a direction under section 180i (1A) in respect of a restricted publication.”;
- (h) The word “or” between section 180JA (2) (a) and section 180JA (2) (b) is repealed; 35
- (i) After section 180JA (2) (b) there shall be inserted the following paragraphs:  
 “(c) revoke or vary any direction given in respect of a restricted publication under section 180i (1A); or 40  
 (d) review its decision not to give any direction in respect of a restricted publication under section 180i (1A).”;
- (j) After

(j) After section 180k (1) (a) there shall be inserted the following paragraphs:

5 “(aa) any direction of the Board given in respect of a restricted publication pursuant to the provisions of section 180i (1A);

(ab) the revocation or variation of a direction of the Board given in respect of a restricted publication pursuant to the provisions of section 180i (1A);”;

10 (k) After section 180k (2) there shall be inserted the following sub-section:

15 “(2A) A direction of the Board given in respect of a restricted publication pursuant to the provisions of section 180i (1A) or the revocation or variation of such a direction is effective on the day following the day on which notice of the direction, revocation or variation is published in the *Government Gazette*.”.

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