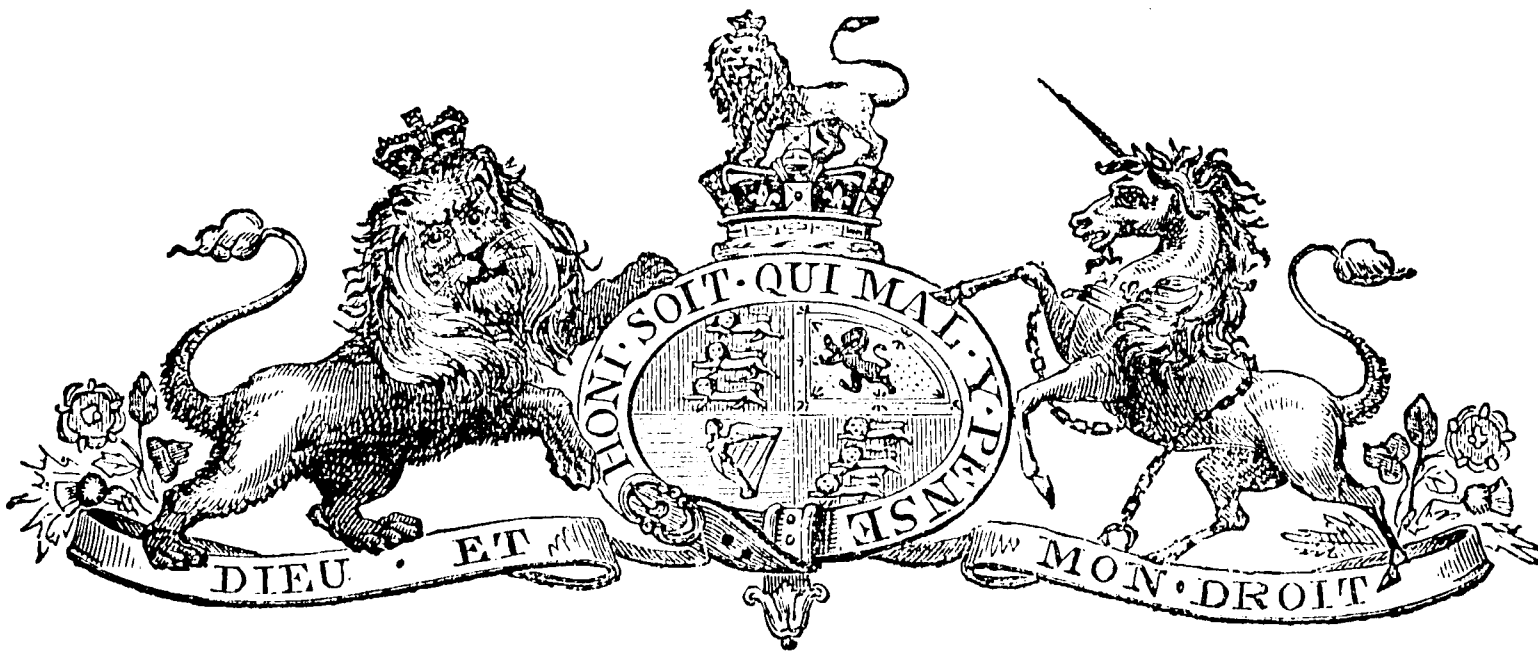


VICTORIA.



ANNO SEXAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. 1643.

An Act to amend the *Crimes Act* 1891.

[19th February, 1900.]

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. This Act may be cited as the *Crimes Act* 1900, and this Act and the *Crimes Act* 1890 and any amendment of the same may be cited together as the Crimes Acts. Short title.

2. In this Act—

(a) "newspaper" shall be deemed and taken to include any newspaper or supplement within the meaning of any Act for the time being in force relating to printing publishing or registering of newspapers or relating to the post office ; and

(b) "publishes" or "publishing," without in any way restricting the meaning of the word at common law, shall include affixing or inscribing on any building house wall hoarding gate fence pillar post board tree or thing whatsoever so as to be visible to a person being in or passing along any street public highway or footpath or railway station, or affixing or inscribing on any public urinal, or delivering or

Interpretation.
See No. 1126 s. 34,
1537 s. 6.

or exhibiting to any inhabitant or person, or depositing or causing to be thrown upon any public or private premises, or exhibiting to public view in the window of any building house or shop.

Certain pictures &c.
declared indecent.

3. Any picture or advertisement or any printed or written matter in the nature of an advertisement shall for the purposes of this Act be deemed and taken to be of an indecent or obscene nature if it refers or relates to syphilis gonorrhœa nervous debility or other complaint or infirmity arising from or relating to sexual intercourse or sexual abuse, or to pregnancy or to any irregularity or obstruction of the female system, or to the treatment of any complaint or condition peculiar to females.

Penalty for printing
&c. in a newspaper
any indecent
picture or
advertisement.

4. Every person who prints or publishes or distributes or sends by post or assists in printing publishing or distributing or has in his possession for the purpose of distributing or sending by post any newspaper containing any picture or advertisement or any printed or written matter in the nature of an advertisement which picture advertisement or matter is of an indecent or obscene nature shall be liable on conviction thereof for a first offence to a penalty not exceeding Twenty pounds or to imprisonment for any term not exceeding three months, and for a second and every subsequent offence to a penalty of not less than Twenty pounds or more than One hundred pounds and to imprisonment for any term not exceeding twelve months.

Penalty for printing
or publishing &c.
indecent picture or
advertisement.

5. Every person who prints or publishes or distributes or sends by post or assists in printing or publishing or distributing or has in his possession for the purpose of distributing or sending by post any picture or advertisement or any printed or written matter in the nature of an advertisement which picture advertisement or matter is of an indecent or obscene nature shall on conviction thereof for a first offence be liable to a penalty not exceeding Ten pounds or to imprisonment for any term not exceeding one month, and for a second and every subsequent offence to a penalty of not less than Ten pounds or more than Fifty pounds and to imprisonment for any term not exceeding six months.

Punishment where
newspaper is owned
by a company.
See No. 1406 s. 6.
See Queensland Act
56 Vict. No. 20
s. 4.

6. Where a company is the proprietor of a newspaper containing any picture or advertisement or any printed or written matter in the nature of an advertisement which picture advertisement or matter is of an indecent or obscene nature the individual person who within the meaning of the Printers and Newspapers Acts is the printer of such newspaper and the individual person who within the meaning of the said Acts is the publisher of such newspaper shall each be liable to the punishment provided in this Act.

Indecent pictures
&c. sent by post.

7. If at any post office there is received for transmission through the post any newspaper packet or parcel containing any picture or advertisement or any printed or written matter in the nature
of

of an advertisement which picture advertisement or matter is of an indecent or obscene nature the Postmaster-General may refuse to transmit or deliver the same through the post and may cause any such newspaper packet or parcel to be destroyed.

8. Any newspaper which contains any picture or advertisement or printed or written matter in the nature of an advertisement which picture advertisement or matter is of an indecent or obscene nature and any picture or advertisement or printed or written matter which is of an indecent or obscene nature shall not be imported or brought into Victoria and shall be included among goods prohibited to be imported as if they were specified in section forty-nine of the *Customs Act* 1890.

Importation of newspapers containing indecent advertisements prohibited.

9. No prosecution for any offence against this Act shall be taken except by a member of the police force under the written authority of the Chief Commissioner of Police for the particular prosecution. No such written authority shall be given for prosecuting any person for distributing or sending by post or assisting in distributing or sending by post any newspaper containing any picture or advertisement or any printed or written matter in the nature of an advertisement which picture or advertisement or matter is of an indecent or obscene nature unless the offender has been previously warned in writing by a member of the police force that he will be prosecuted under this Act if after such warning he distributes or sends by post or assists in distributing or sending by post a copy of any specified newspaper (whether published before or after such warning) containing any specified picture or advertisement or printed or written matter in the nature of an advertisement which picture advertisement or matter is of an indecent or obscene nature or containing any picture or advertisement or matter of a like nature or effect as such specified picture advertisement or matter.

Police only to prosecute.

Distributors to be warned of intended prosecution.

MELBOURNE:

By Authority: ROBT. S. BRAIN, Government Printer.