

New Zealand.



ANALYSIS.

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| <p style="margin-left: 2em;">Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Commencement of Act. 3. Persons affixing, &c., indecent, immoral, or obscene matter punishable summarily. | <ol style="list-style-type: none"> 4. Persons procuring others to do the acts punishable. 5. Certain advertisements declared indecent. 6. Constable may arrest on view. 7. Summary conviction. |
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1892, No. 42.

Title.

AN ACT to suppress Offensive Publications.

[11th October, 1892.]

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

Short Title.

1. The Short Title of this Act is "The Offensive Publications Act, 1892."

Commencement of Act.

2. This Act shall come into operation on the first day of January, one thousand eight hundred and ninety-three.

Persons affixing, &c., indecent, immoral, or obscene matter punishable summarily.

3. Whoever affixes to or inscribes on any house, building, urinal, closet, wall, hoarding, gate, fence, pillar, post, board, tree, or any other thing whatsoever, so as to be visible to any person being in or passing along any street, road, public highway, footpath, or place of public resort, or whoever delivers or attempts to deliver, or exhibits to any inhabitant or to any person being in or passing along any street, road, public highway, footpath, or place of public resort, or who throws down the area or into the yard, garden, or enclosure of any house, or who exhibits to public view in any house, shop, or place, or whoever sells, offers, distributes, or shows any picture or printed or written matter which is of an indecent, immoral, or obscene nature, or which the Court shall be satisfied is intended to have an indecent, immoral, or obscene effect, shall, on summary conviction, be liable to a penalty not exceeding five pounds, or, in the discretion of the Court, to imprisonment for any term not exceeding three months, with or without hard labour, and on a second or subsequent conviction shall, on summary conviction, be liable to a penalty not exceeding ten pounds, or, in the discretion of the Court, to imprisonment for any term not exceeding six months, with or without hard labour.

Persons procuring others to do the acts punishable.

4. Whoever gives or delivers to any other person any such pictures or printed or written matter as mentioned in section three of this Act, with the intent that the same, or some part or parts thereof,

should be affixed, inscribed, delivered, exhibited, sold, or distributed as therein mentioned, shall, on summary conviction, be liable to a penalty not exceeding ten pounds, or, in the discretion of the Court, to imprisonment for any term not exceeding six months, with or without hard labour; and on a second or subsequent conviction shall, on summary conviction, be liable to a penalty not exceeding fifty pounds, or, in the discretion of the Court, to imprisonment for any term not exceeding twelve months, with or without hard labour.

5. Any advertisement or other publication relating to any venereal or contagious disease affecting the generative organs or functions, or having reference to any nervous debility, or other complaint or infirmity arising from or relating to sexual intercourse, or which the Court shall be satisfied is intended to be of that nature, shall be deemed to be printed or written matter of an indecent nature within the meaning of section three of this Act.

Certain advertisements declared indecent.

6. Any constable or other peace officer may arrest without warrant any person whom he shall find committing any offence under sections three and four of this Act.

Constable may arrest on view.

7. All proceedings for the recovery of any penalty or the awarding of punishment as aforesaid shall be taken, heard, and prosecuted in a summary manner before two or more Justices under "The Justices of the Peace Act, 1882," and any amendment thereof.

Summary conviction.