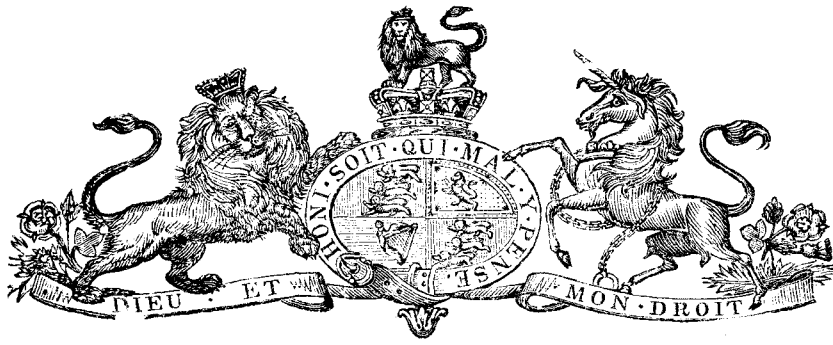


T A S M A N I A.



1900.

ANNO SEXAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 26.



AN ACT to suppress Indecent and Obscene Publications. A.D. 1900. [20 November, 1900.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as “The Indecent Publications Act, 1900.”

2 The following words in Section One hundred and eighty of *The Police Act, 1865*, are hereby repealed, viz. :—

“Every person who publicly offers for sale or distribution or exhibits to public view any profane, indecent, or obscene book, paper, print, drawing, or representation.”

3 Any person who—

- i. Publishes a newspaper containing any advertisement which is of an indecent or obscene nature ; or
- ii. 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
- iii. 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

Publishing indecent advertisements in newspaper. Delivering such advertisements for publication in newspaper. Affixing indecent or obscene pictures or writings.

4d.]

Indecent Publications.

A.D. 1900.

- 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
- iv. 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
- v. 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
- vi. Prints any picture or printed matter published or posted in contravention of this Act,
- shall be liable to a penalty not exceeding Ten Pounds, or, in the discretion of the Court, to imprisonment for a term not exceeding Three months, with or without hard labour
- Such matter may be destroyed. **4** Where any postmaster has reason to believe that any newspaper, packet, or parcel posted as aforesaid contains any picture book, pamphlet, 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 book, pamphlet, 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. **5** Any advertisement, picture, or printed or written matter relating to any complaint or infirmity arising from or relating to sexual impotence or intercourse, or to nervous debility, or female irregularities, or 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. **6** 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 *bonâ fide* medical or other scientific work or treatise. But in any prosecution for an offence against this Act the burden of proof that a publication is a *bonâ fide* medical or other scientific work or treatise shall lie on the defendant.
- Recovery of penalties. 19 Vict. No. 8. **7** All offences against this Act shall be heard and determined, and all penalties shall be recovered in the mode prescribed by *The Magistrates Summary Procedure Act*.