

Queensland



DEFAMATION AMENDMENT BILL 1999

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1999

A BILL

FOR

An Act to amend the Defamation Act 1889

The Parliament of Queensland enacts—

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Short title

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Clause 1. This Act may be cited as the *Defamation Amendment Act 1999*.

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Act amended

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Clause 2. This Act amends the *Defamation Act 1889*.

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Insertion of new s 15A

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Clause 3. After section 15—

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insert—

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**‘Protection—communications to Minister, member of Legislative
Assembly or staff member**

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‘**15A.(1)** It is lawful for a constituent to publish defamatory matter to a member of the Legislative Assembly or to a person who is a member of the member’s staff (a “**staff member**”) if the publication is made without malice.

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‘**(2)** It is lawful for a staff member to publish the defamatory matter to the member if the publication is made without malice.

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‘**(3)** It is lawful for the member to publish the defamatory matter to a Minister or to a staff member if the publication is made without malice.

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‘**(4)** In any proceeding about the publication of defamatory matter mentioned in subsection (1), (2) or (3), the onus of proving the publication was made with malice is for the party alleging it was made with malice.

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‘**(5)** In this section—

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“**constituent**” means a person ordinarily entitled to vote in the State.’.

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