

**NEWSPAPERS ACT**

**CHAPTER 20:04**

**Act**

**24 of 1958**

**Amended by**

**3 of 1960**

**1 of 1973**

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**Note**  
**on**  
**Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

## CHAPTER 20:04

## NEWSPAPERS ACT

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## FIRST SCHEDULE.

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## CHAPTER 20:04

## NEWSPAPERS ACT

1961 Ed.  
Cap 104.  
24 of 1958.

**AN ACT to make provision for the registration and control of newspapers.**

Commencement.

[1st January 1959]

Short title.

1. This Act may be cited as the –

NEWSPAPERS ACT.

Interpretation.

2. In this Act –

Cap. 318.  
(1961 Ed.).

“company” means a company formed and registered under the provisions of the Companies Ordinance;

“newspaper” includes every paper or pamphlet containing any public news, intelligence or report of any occurrence or any remarks or observations thereon or upon any political matter, published for sale, distribution or other purpose in parts or numbers at intervals not exceeding one hundred days, but does not include the *Gazette* or any paper, report, matter or thing printed by the Government printer or published by Government authority, or programmes, notices or printed matter containing only or principally *bona fide* advertisements;

“printer” includes any person who conducts the actual printing of a newspaper;

“proprietor” includes as well the sole proprietor of any newspaper as also in the case of a divided proprietorship the persons who as partners or otherwise represent and are responsible for any share or interest in the newspaper as between themselves and the persons in like manner representing or responsible for the other shares or interests therein, and no other person;

“process” means all legal process whatsoever whether civil or criminal and includes all notices under this Act and all summonses, subpoenas, rules and orders of any Court;

“Registrar” means the Registrar General.

Statutory  
declaration  
required before  
printing or  
publication.

3. No person shall print or publish, or cause to be printed or published, any newspaper unless there has been filed with and registered at the office of the Registrar a statutory declaration, as hereinafter

4. The statutory declaration shall be made and signed by every person named therein as proprietor or printer, or publisher, of the newspaper to which it relates and shall set forth –

Particulars of  
statutory  
declaration.

- (a) the correct title or name of the newspaper;
- (b) the true description of the house or building wherein the newspaper is intended to be printed, and also of the house or building wherein it is intended to be published; and
- (c) the true names and places of abode of every person who is intended to be the proprietor, printer or publisher of the newspaper.

5. Whenever any proprietor, printer or publisher named in the statutory declaration is changed or changes his place of abode, printing house or office, and as often as the title of the newspaper is changed, then and in every such case a new statutory declaration which shall contain all the several matters and things required by section 4 shall be made, filed and registered as hereinbefore prescribed.

New statutory  
declaration when  
required.

6. No person shall print or publish or cause to be printed or published any newspaper published at intervals not exceeding twenty-six days unless and until the proprietor, printer and publisher thereof have entered into and delivered to and registered with the Registrar, a bond to the State in the sum of one thousand dollars together with one or more sureties, as may be required and approved by the Registrar. The conditions of the bond shall be that each proprietor, printer and publisher shall pay to the State every penalty which may at any time be imposed upon or adjudged against him or them upon any conviction for printing or publishing any blasphemous or seditious or other libel at any time after the execution of the bond, and also any damages and costs on every judgment for the plaintiff in any action for libel against the proprietor, printer or publisher and all other penalties whatsoever which may be imposed upon or adjudged by any Court against him or them under the provisions of this Act.

Bond by  
proprietor,  
printer, and  
publisher of  
newspaper.

7. (1) A surety shall be released from his bond upon giving written notice to the proprietor, printer and publisher of the newspaper to that effect and filing a copy of the notice with the Registrar. In such case the surety shall be released from further liability upon the bond

Release of surety.

from and after the expiration of twenty days from the date of the filing of a copy of the notice as aforesaid.

(2) Notwithstanding any such release the surety shall continue to be liable in respect of all penalties incurred by and all damages and costs adjudged against any such proprietor, printer or publisher in respect of any proceedings commenced within six months of the date of the release for any blasphemous or seditious or other libel printed or published, or for any offence under this Act committed before the date of the release.

Registrar may call on surety to justify.

8. The Registrar may at any time during the continuance of a bond call upon the surety or sureties thereof to satisfy him as to means and for that purpose may require a statutory declaration justifying such means. Upon failure of the surety or sureties to satisfy him as aforesaid, the bond shall become null and void and the Registrar shall thereupon notify in writing the parties to the bond to that effect.

Bond null and void.

9. Whenever any surety has paid the whole of the sum for which he has become surety, or dies, or has been declared a bankrupt or has executed any deed of composition with his creditors, or is released as provided for in section 7, or upon notification or failure to satisfy the Registrar as to means as is hereinbefore provided, the bond in any such case shall become null and void.

New bond.

10. No person shall print or publish, or cause to be printed or published, any newspaper the bond in respect of which has become void until a new bond has been executed and registered in the manner and in the amount as hereinbefore provided.

Statutory declaration and bond by company.

11. When a company is the proprietor, printer or publisher of a newspaper, any statutory declaration required by this Act shall be made and signed by the secretary or one of the directors of the company, and the bond required by this Act shall be given and executed by the company under its seal and by the surety or sureties as the Registrar may

Penalty for printing, publishing, selling or distributing newspaper in contravention of the Act

12. Any person who –

(a) prints or publishes or causes to be printed or published any newspaper in contravention of sections 7, 8, or 10; or

(b) sells or distributes any newspaper which he knows or has reason to believe has been printed or published in contravention of any of the aforementioned sections,

is liable to a fine of three thousand dollars.

**13.** (1) At the foot of the last page of every newspaper and of every supplement issued therewith, shall be printed the name and surname, occupation and place of abode of its proprietor, printer and publisher, and in the case of a company its corporate name and also a true description of the house or building wherein it is actually printed and published respectively, and at some place in the newspaper the day of the week, month and year on which it is published.

Particulars to be printed on newspaper.

(2) Any person who knowingly and wilfully prints or publishes or causes to be printed or published, any newspaper or supplement thereto, whereon the several particulars aforesaid are not set forth, or are falsely set forth, is liable to a fine of one thousand dollars.

False particulars.

**14.** (1) The printer or publisher of every newspaper in the State shall, within six days after each publication of the newspaper, deliver, or cause to be delivered, at the office of the Registrar one copy of that newspaper free of cost, with the name and place of abode of the printer or publisher thereof signed and written thereon by his proper hand and in his accustomed manner of signing, or by some person appointed and authorised by him for that purpose, of whose appointment and authority notice in writing signed by the printer or publisher has been delivered at the office of the Registrar.

Delivery of signed copies of newspapers.

(2) Any printer or publisher of a newspaper who fails or neglects to deliver or cause to be delivered, in the manner hereinbefore directed, a copy signed as aforesaid is liable to a fine of five hundred dollars for every such failure or neglect to deliver.

Penalty.

**15.** (1) The proprietor and publisher of every newspaper shall file or cause to be filed in the month of January in every year with the Registrar a return of the following particulars:

Annual returns of particulars of newspapers.

(a) the title of the newspaper;

(b) the names of all the proprietors of the newspaper with their respective occupations, places of business, if any, places of abode and

(c) the yearly circulation for the previous calendar year ending on 31st December.

(2) Any proprietor and publisher failing to file such return as aforesaid is liable to a fine of one thousand dollars.

Registration of titles of newspapers and names of proprietors, printers and publishers.

**16.** The Registrar shall cause to be entered in a book kept for that purpose in his office, the title of every newspaper registered at his office and also the names of the proprietors, printers and publishers thereof, as they appear in the statutory declaration required by this Act to be made relating to those newspapers respectively.

Fees.  
Second Schedule

**17.** There shall be paid to the Registrar the fees specified in the Second Schedule in respect of the several matters therein specified.

Making false or defective statutory declaration.  
Ch. 10:30.

**18.** Notwithstanding anything contained in the Perjury Act in that behalf any person who knowingly and wilfully signs and makes any statutory declaration required by this Act –

- (a) in which there is inserted or set forth the name of any person as a proprietor, printer or publisher of any newspaper to which the statutory declaration relates who is not the proprietor, printer or publisher thereof; or
- (b) from which there is omitted the name or place of abode of any proprietor, printer or publisher of the newspaper, contrary to the provisions of this Act; or
- (c) in which any matter or thing by this Act required to be set forth is falsely set forth; or
- (d) from which any matter or thing required by this Act to be set forth is omitted,

is liable to a fine of three thousand dollars.

Service of process on proprietor, etc., of newspaper.

**19.** In any civil or criminal proceedings against any proprietor, printer or publisher of any newspaper, service at the house or building mentioned in any statutory declaration aforesaid as the house or building at which that newspaper is printed, or published, of any notice or other matter required or directed by this Act to be given or left, or of any process whatsoever shall be taken to be good and sufficient service



thereof respectively upon and against every person named in the statutory declaration as the proprietor, printer or publisher of that newspaper.

**20.** (1) All penalties under this Act may be recovered on summary conviction on complaint laid by the Registrar. Recovery of penalties.

(2) All penalties recoverable under any bond given under this Act shall be recovered by the Attorney General as State debts.

**21.** The forms given in the First Schedule shall be used subject to such modification as circumstances may make necessary. Forms. First Schedule.

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(Section 21).

## FIRST SCHEDULE

## 1. FORM OF DECLARATION REQUIRED BY SECTION 3

Title of News-paper.	Where to be printed.	Where to be published.	Name, Occupation and place of abode of actual printer, etc.	Name, Occupation and place of abode of publisher.	Name of every proprietor resident out of State.	Name of proprietor or proprietors resident in State.	Amount of proportional share or interests of such several proprietors whose names are specified.
The Sun	At the house occupied by Mr. Smith, in the Market Square.	At same place where printed.	John Brown, Clerk, of Victoria Street.	The same John Brown.	None.	John Jones, of Handyside Lane, Henry Davis, of North Front Street.	John Jones, two-thirds, Henry Davis, one-sixth.

I, John Brown, as to the various matters set forth in the first five columns, and I, John Jones, and I, Henry Davis, as to the various matters set forth in columns 7 and 8, do solemnly and sincerely declare that the respective statements therein made are just and true, and that nothing therein stated is intended otherwise than in fulfilment of the requirements of section 3 of the Newspapers Act.

Taken before me this.....day of.....19....

.....John Brown,  
.....John Jones,  
.....Henry Davis.

2. FORM OF BOND REQUIRED BY SECTION 6

KNOW ALL MEN BY THESE PRESENTS that we (*name and address of printer or publisher*) and (*name and address of sureties*) are bound to the State in the sum of (*state amount*) to be paid to the State, for which payment we bind ourselves and every ("four," "three," as the case may be) two and one of us jointly and severally by these presents.

Sealed with our respective seals.

Dated this.....day of.....19.....

The condition of the above written bond is such that if the printer, publisher or proprietor of any newspaper printed or published by the said (name of printer or publisher executing the bond) shall pay to the State all forfeitures, fines, penalties, damages and costs which may be imposed upon or adjudged against the printer, publisher proprietor, or any of them, whether in criminal or civil proceedings, in respect of any libel whatsoever printed or published in the newspaper at any time after the execution of the above written bond or on any conviction under the provisions of the Newspapers Act, for anything done or omitted after the execution of the above written bond then the above written bond shall be void or otherwise shall remain in full force.

Signed, sealed and delivered by the  
above-named..... } (Seals of obligors)  
in the presence of..... }

(Section 17).  
11 of 1972  
20 of 1978].

**SECOND SCHEDULE**

For filing statutory declaration	\$ 5.00
For registration of bond	20.00
For every search of register	3.00
For inspecting file of documents (other than newspaper files)	3.00
For filing any document (other than a newspaper not otherwise provided for in this Schedule)	3.00

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