

CHAPTER 292

THE NEWSPAPER SURETY ACT

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NEWSPAPER SURETY

(23rd July, 1909.)

5/1909.
9/1971.
10/1975.
14/1976.

1. This Act may be cited as the Newspaper Surety Act. **Short title.**

2. In this Act— **Interpretation.**

“company” means a joint stock company duly incorporated under and subject to the provisions of the Companies Act or any Act amending the same;

“newspaper” means—

(a) any paper containing public news, intelligence or occurrences, or any remarks, observations or comments in relation to such news, intelligence or occurrences, printed and published periodically or at intervals of less than twelve months and intended by the printer or published for distribution, sale or circulation principally within Antigua and Barbuda; and

(b) any paper printed in order to be dispersed and containing only or principally advertisements,

but shall not include the *Gazette* or any publication issued by the Government or by any Statutory Corporation:

Provided that where any person, company, trade union or association publishes two or more papers which have differing names or titles but which are of substantially similar format and content and are intended for circulation among the same types of reader as each other, then, for the purpose of this definition, such papers shall be deemed to be one and the same paper.

3. No person shall print or publish or cause to be printed or published within Antigua and Barbuda any newspaper unless he shall have previously given and executed and registered in the office of the Registrar of Deeds a bond in the sum of nine hundred and sixty dollars with one or **Bond required.**

more sureties as may be required and approved by the Attorney-General, conditioned that the printer, publisher or proprietor of the said newspaper shall pay to Her Majesty the Queen, Her heirs and successors, 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 such bond, and also any damages and costs on any judgment for the plaintiff in any action for libel against such printer, publisher or proprietor, and all other penalties whatsoever which may be imposed upon or adjudged by the Court against him or them under the provisions of this Act.

Bond by company.

4. Whenever any newspaper shall belong to a company the bond shall be given and executed by such company under its title of incorporation and under the hand of the secretary and any two directors of such company, and under the common or corporate seal of such company and by such surety or sureties as the Attorney-General may require and approve.

Copies of bond to be evidence.

5. Certified copies of every bond under this Act shall be received in evidence in all courts as sufficient proof of the giving and execution of such bond.

Registrar to deliver copies.

6. The Registrar of Deeds upon application shall deliver to any person who may require it a copy certified under his hand of any bond registered under the provisions of this Act.

Execution of bond.

7. Every bond required by this Act shall be executed in the presence of the Attorney-General or in the presence of a Magistrate for District A, and of one witness at least, not being a party thereto, and such witness shall subscribe his name with the addition of his place of abode or business and his profession, occupation, or condition in life.

Withdrawal of surety.

8. If any surety shall be desirous of withdrawing from such bond and being discharged from his suretyship thereunder, he shall be entitled so to withdraw and be discharged at the expiration of sixty days after service of a notice in writing of such his withdrawal to the Attorney-General, and to the printer or publisher, or to the secretary

of the company, as the case may be, for whom such surety shall have become bound:

Provided that, notwithstanding any such discharge, such surety shall continue to be liable in respect of all penalties incurred by and all damages and costs adjudged against any such printer, publisher or proprietor before the date of such discharge.

9. In every case where any surety under any bond required by this Act— **New bond in certain cases.**

(a) shall have paid the whole or any part of the sum for which he shall have become bound; or

(b) shall die; or

(c) shall have been declared a bankrupt or shall have been discharged under any law of bankruptcy for the time being in force in Antigua and Barbuda; or

(d) shall have left Antigua and Barbuda without leaving sufficient property therein to satisfy any sum for which he shall have become bound; or

(e) shall have withdrawn from such suretyship in manner hereinbefore provided,

then and in every such case the person or company for whom such surety shall have been bound shall not print or publish any newspaper until such person or company shall have executed and registered a new bond to the amount and in manner hereinbefore prescribed.

10. If any person shall print or publish or cause to be printed or published or sell or offer for sale any newspaper without having first complied with the provisions of this Act as to bond, every such person or the secretary of any company, as the case may be, shall be liable on summary conviction to a penalty not exceeding fifteen hundred dollars for each and every such act done and committed. **Publication without bond.**

11. All penalties recoverable under any bond given under this Act shall be recovered as Crown debts by the Attorney-General in accordance with the law and practice for the time being prevailing. **Penalties recoverable as Crown debts by the Attorney-General.**

on-application.

12. This Act does not apply to any newspaper that is published by—

(a) the pupils or staff of any scholastic establishment,

(b) a *bona fide* religious organisation,

(c) a non-profit making voluntary organisation,

(d) a youth organisation, or

(e) a business or company for distribution to its employees,

if the items of news, comments or any other matter or thing contained in such newspaper consists wholly or mainly of matters concerning or principally of interest to such group.
