

No. 36 OF 1936.

A LAW TO AMEND THE NEWSPAPER, BOOKS AND
PRINTING PRESSES LAWS, 1934.H. R. PALMER,]
Governor.

[29th October, 1936.

BE it enacted :—

Short title.

26 of 1934.

49 of 1934.

Amendment
of section 2
of Law 26
of 1934.

1. This Law may be cited as the Newspaper, Books and Printing Presses (Amendment) Law, 1936, and shall be read as one with the Newspaper, Books and Printing Presses Laws, 1934, (hereinafter called "the Principal Law"), and the Principal Law and this Law may together be cited as the Newspaper, Books and Printing Presses Laws, 1934 to 1936.

2. Section 2 of the Principal Law is hereby amended as follows :—

(a) By the insertion of the following definitions in their proper alphabetical places therein :—

" 'alien controlled company' means a company—

(a) where the majority of the voting power is in the hands of persons who are aliens or who exercise their voting powers directly or indirectly on behalf of persons who are aliens ; or

(b) where the control is by any means whatever in the hands of persons who are aliens ;

'supplement' means a publication consisting in whole or in great part of matter like that of a newspaper, or consisting wholly or in part of illustrations whether reproduced by typography, lithography, photogravure or otherwise, and illustrative of articles in the newspaper ; the publication in every case being put together in some one part of the newspaper whether affixed to the newspaper or not, and being published with the newspaper, and having the whole of the title of the newspaper printed on every page, or on every sheet or side upon which such illustrations appear."

(b) By the insertion of the words " , and includes a supplement thereto " at the end of the definition of " newspaper " .

Amendment
of section 4
of Law 26
of 1934.

3. Section 4 of the Principal Law is hereby amended as follows :—

(a) By the deletion of the figure " 30 " from paragraph (i) of sub-section (1) (a) and by the substitution therefor of the figure " 25 " .

(b) By the deletion of paragraph (iii) of sub-section (1) (a), the subsequent paragraphs (iv) to (ix) being re-numbered (iii) to (viii) respectively.

(c) By the deletion of paragraph (v) now re-numbered (iv), of sub-section (1) (a) and by the substitution therefor of the following paragraph:—

“(iv) has never been convicted of an offence under Chapter VII or VIII of the Cyprus Criminal Code, 1928 to 1936;”

(d) By the deletion of the figure (viii) from sub-section (3) (as enacted by section 2 of the Newspaper, Books and Printing Presses (Amendment) Law, 1934) and by the substitution therefor of the figure (vii). 49 of 1934.

(e) By the addition of the following sub-section:—

“(4) A permit granted under this Part in respect of any newspaper shall authorize the holder to publish one publication only with the title, at the intervals, and otherwise conforming to the particulars furnished by the applicant for the permit in the form prescribed in the First Schedule and to any changes in such particulars notified from time to time by the proprietor in accordance with the provisions of section 10.”

4. Section 5 of the Principal Law is hereby repealed and the following section substituted therefor:—

“Certain powers to Colonial Secretary.

5.—(1) The Colonial Secretary may, in his discretion, cancel or suspend for such time as to him may seem fit any permit granted under this Part—

Repeal of section 5 of Law 26 of 1934 and substitution of new section.

(a) where he is satisfied that it is in the public interest so to do;

(b) where the holder has ceased to fulfil any of the requirements specified in section 4:

Provided that in the case of a company such permit may be cancelled or suspended if any director or the secretary thereof ceases or fails to fulfil any of such requirements;

(c) where the holder has acted in contravention of section 10 or 17; or

(d) where the holder has been absent from the Colony for a continuous period exceeding twelve months.

(2) The Colonial Secretary may, in his discretion, in lieu of cancelling or suspending a permit under the provisions of sub-section (1), order that the newspaper in respect of which the permit has been granted be subject to censorship, and thereupon such newspaper shall come under the control of a censor appointed under the provisions of section 5A (1)."

Insertion of
new sections
5A and 5B in
Law 26 of
1934.

5. The Principal Law is hereby amended by the insertion immediately after section 5 of the following sections:—

"Power to
Governor
to appoint
censors.

5A.—(1) The Governor may appoint a censor for the purpose of controlling any newspaper placed under censorship under the provisions of section 5 (2) or 34A.

(2) Any censor appointed under the provisions of sub-section (1) shall have the powers following, that is to say,—

(a) to require the proprietor of the newspaper, or the importer or other person intending to circulate in the Colony a newspaper printed outside the Colony in respect of which an order made under section 34A is subsisting, to produce to him for censorship any issue of such newspaper before publication or circulation ;

(b) to eliminate any portion of or alter any of the contents of any issue ;

(c) to suppress the circulation of any issue.

5B. Every person and, in the case of a company, every director and the secretary thereof, who—

(a) publishes or causes to be published a newspaper in respect of which the permit has been cancelled or suspended or, where such newspaper has been placed under censorship under the provisions of section 5 (2), refuses or fails without reasonable cause to submit any issue thereof to a censor or neglects to carry out or disobeys any lawful requirement, direction or order of a censor ; or

(b) where a newspaper has been placed under censorship under the provisions of section 34A, refuses or fails without reasonable

Penalty for
publishing
newspaper
in respect of
which permit
has been
cancelled or
suspended,
etc.

cause to submit any issue thereof to a censor or neglects to carry out or disobeys any lawful requirement, direction or order of a censor,

shall be guilty of an offence.

Penalty: Imprisonment for six months or a fine of fifty pounds or both."

6. Section 6 of the Principal Law is hereby repealed and the following section substituted therefor:—

"Appeal to Governor in Council.

6. Any person aggrieved by—

- (a) the refusal of the Colonial Secretary to grant a permit ;
- (b) the cancellation or suspension by the Colonial Secretary of a permit ; or
- (c) the placing of a newspaper under censorship under the provisions of section 5 (2),

may, within ten days from the date of such refusal, cancellation, suspension or placing under censorship, as the case may be, appeal to the Governor in Council, whose decision thereon shall be final and conclusive."

Repeal of section 6 of Law 26 of 1934 and substitution of new section.

7. Section 10 of the Principal Law is hereby repealed and the following section substituted therefor:—

"Colonial Secretary to be notified of change in particulars contained in declaration, and of absence from Colony.

10.—(1) If any change occurs or if any inaccuracy is discovered in any of the specified particulars in a declaration made as prescribed in section 4, the proprietor shall, within three days of such change or of the discovery of such inaccuracy, furnish the Colonial Secretary with full particulars of such change or inaccuracy.

(2) If any change occurs or if any inaccuracy is discovered in any of the particulars in a declaration made under the provisions of section 4 on behalf of a company, the secretary of such company shall, within three days of such change or of the discovery of such inaccuracy, furnish the Colonial Secretary with full particulars of such change or inaccuracy.

(3) If a proprietor to whom a permit has been granted under this Part intends to be temporarily absent from the Colony, he shall on or before the date of his departure notify the Colonial Secretary of such intention and of the duration of his intended absence.

Repeal of section 10 of Law 26 of 1934 and substitution of new section.

(4) If all the directors of a company to which a permit has been granted under this Part intend to be temporarily absent from the Colony at one time, the secretary of the company shall, on or before the date of the departure of the director last leaving the Colony, notify the Colonial Secretary of such intention and of the duration of the intended absence."

Insertion of
new section
18A in Law
26 of 1934.

8. The Principal Law is hereby amended by the insertion immediately after section 18 of the following section:—

"Property in
the title of a
newspaper.

18A. When a permit has been granted to the proprietor of a newspaper under this Part, the title of the newspaper shall be deemed to be the property of the proprietor and no person other than the proprietor shall be entitled to use such title or any title so resembling it as to be likely to cause confusion :

Provided that the assignee or heirs of the proprietor may use the title of the newspaper after obtaining a permit under this Part :

Provided further that, when a permit granted to the proprietor of a newspaper under this Part has been, for a period of not less than twelve months, cancelled under the provisions of section 5 (1) or has ceased and determined under the provisions of section 18, and a permit to publish the newspaper has not been granted to the proprietor thereof or to the assignee or heirs of the proprietor under this Part, any other person who obtains a permit under this Part may use the same title as the title of the newspaper to be published by him."

Amendment
of section 27
of Law 26
of 1934.

9. Section 27 of the Principal Law is hereby amended as follows:—

(a) By the deletion of sub-section (2) and by the substitution therefor of the following sub-section:—

"(2) No permit shall be granted unless the applicant, or where there is more than one applicant every such applicant, satisfies the Colonial Secretary that he—

(a) is a fit and proper person to keep or have in his possession a printing press ;

(b) is a British subject :

Provided that the requirement of this paragraph shall not apply to any applicant who on the 30th

day of October, 1936, was in possession of a permit granted under this section and subsisting on that date ;

- (c) has not been convicted of any offence under section 49 or 52 of the Cyprus Criminal Code, 1928 to 1936 :

Provided that, where application is made on behalf of a company, each of the directors and the secretary thereof for the time being shall respectively satisfy the Colonial Secretary that they comply with the requirements of this sub-section and that such company is not an alien controlled company."

- (b) By the insertion in sub-section (5) of the words "or suspend" after the word "cancel".

- (c) By the deletion from sub-section (5) of the words "or has permanently left the Colony" and by the substitution therefor of the words "or has been absent from the Colony for a continuous period exceeding twelve months".

- (d) By the insertion at the end of sub-section (6) of the words "or if such company has become an alien controlled company".

- (e) By the insertion at the end of sub-section (7) of the words, "and the Court trying the offence may order that the printing press in respect of which the offence has been committed shall be forfeited".

- (f) By the insertion immediately after sub-section (7) of the following sub-section :—

"(8) Any person aggrieved by—

- (a) the refusal of the Colonial Secretary to grant a permit under this section ; or

- (b) the cancellation or suspension by the Colonial Secretary of a permit granted under this section,

may, within ten days from the date of such refusal, cancellation or suspension, as the case may be, appeal to the Governor in Council, whose decision thereon shall be final and conclusive."

Insertion of new section 34A in Law 26 of 1934.

10. The Principal Law is hereby amended by the insertion immediately after section 34 of the following section :—

“ Power to Governor in Council to impose censorship on newspaper printed abroad.

34A. The Governor in Council may by order to be published in the Gazette direct that any newspaper, printed outside the Colony and imported into the Colony, named in the order be subject to censorship and thereupon such newspaper shall come under the control of a censor appointed under the provisions of section 5A (1).”

Amendment of section 35 (a) of Law 26 of 1934.

11. Section 35 (a) of the Principal Law is hereby amended by the deletion of the proviso thereto and by the substitution therefor of the following proviso :—

“ Provided that no such fee shall exceed—
(i) in the case of a permit to print or publish a newspaper, the sum of five pounds, or
(ii) in the case of a permit to keep or possess a printing press, the sum of one pound ;”

Amendment of First Schedule to Law 26 of 1934.

12.—(1) The First Schedule to the Principal Law is hereby amended as follows :—

(a) By the deletion of paragraph 7 (b) of the Form of Declaration to accompany an application to publish a newspaper, and by the substitution therefor of the following paragraph :—

“(b) Ever been convicted of an offence under Chapter VII or VIII of the Cyprus Criminal Code, 1928 to 1936? ”

(b) By the addition thereto of the following paragraph after paragraph 8 :—

“9.—(a) Is the applicant the sole proprietor of the newspaper ?
(b) If otherwise, state the names of all the other proprietors, together with their respective occupations, places of business (if any) and places of residence.”

(c) By the deletion of the Declaration therein contained and by the substitution therefor of the following :—

“ DECLARATION.

I,..... of....., declare on oath (or solemnly declare) that the information given in the foregoing statement of particulars which are tendered in support of an application made to the Colonial Secretary for the

grant to me (or to.....Company)
of a permit to print or publish a newspaper to be
entitled '.....' is true
and that I am in fact the sole proprietor of the said
newspaper (or as the case may be).

In token whereof I do hereunder subscribe my
signature.

.....
Signature of applicant.

Sworn before me this..... at.....
by the said.....
whom I do personally know (or who has been
identified to me on oath by.....
whom I do personally know).

.....
District Judge of the District
Court of....."

(2) Nothing in this section contained shall be deemed
to require any person to make a fresh declaration
in respect of any newspaper if on the 30th day of October,
1936, such person was in possession of a permit subsisting
on that date to publish such newspaper.

13.—(1) The Third Schedule to the Principal Law is hereby
repealed and the following Schedule substituted therefor:—

Repeal of
Third
Schedule to
Law 26 of
1934 and
substitution
of new
Schedule.

“ THIRD SCHEDULE.

(SECTION 27 (3).)

**FORM OF DECLARATION BY A PERSON APPLYING
FOR A PERMIT TO KEEP OR HAVE IN HIS
POSSESSION A PRINTING PRESS.**

PARTICULARS.

1. Name in full :
2. Present full postal address :
3. Trade, occupation or profession :
4. Description of the printing press: (*Name and address
of the maker and type of the printing press should
be given.*)

- 5. Is applicant a British subject? (*Particulars and dates should be given and any documentary evidence in applicant's possession attached.*)
- 6. Has applicant ever been convicted of any offence under section 49 or 52 of the Cyprus Criminal Code, 1928, to 1936?
- 7. Is the Company an alien controlled company? (*To be omitted if the declaration is not made by a company.*)

DECLARATION.

I,..... of....., declare on oath (or solemnly declare) that the information given in the foregoing statement of particulars which are tendered in support of an application made to the Colonial Secretary for the grant to me (or to..... Company) of a permit to keep or have in my possession (or in the possession of..... Company) a printing press for printing at..... in the District of..... is true.

In token whereof I do hereunder subscribe my signature.

.....
Signature of applicant.

Sworn before me this by the said..... whom I do personally know (or who has been identified to me on oath by..... whom I do personally know).

.....
District Judge of the District Court of....."

(2) Nothing in this section contained shall be deemed to require any person to make a fresh declaration in respect of any printing press if on the 30th day of October, 1936, such person was in possession of a permit subsisting on that date to keep or have in his possession such printing press.

This Law came into operation on 30th October, 1936.