



## ST. CHRISTOPHER AND NEVIS

### CHAPTER 18.24

## NEWSPAPERS SURETY ACT

### Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act No. 9 of 1986.

This edition contains a consolidation of the following laws—

### NEWSPAPERS SURETY ACT

**Act 3 of 1909** ... in force 1st June 1909

Amended by: Act 6 of 1976

Act 7 of 1976

Act 9 of 1986

Page

3



**CHAPTER 18.24**

**NEWSPAPERS SURETY ACT**

ARRANGEMENT OF SECTIONS

1. Short title
2. Interpretation
3. Power of Minister to exempt papers, etc., from the operation of this Act
4. Bond required
5. Bond by company
6. Copies of bond to be evidence
7. Registrar to deliver copies
8. Execution of bond
9. Withdrawal of surety
10. New bond in certain cases
11. Publication without bond
12. Recovery of penalties



**CHAPTER 18.24**  
**NEWSPAPERS SURETY ACT**

AN ACT TO MAKE PROVISION FOR THE GIVING AND EXECUTION OF A BOND IN RESPECT OF A NEWSPAPER BEFORE THE PRINTING AND PUBLICATION OF SUCH NEWSPAPER; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

**Short title.**

1. This Act may be cited as the Newspaper Surety Act.

**Interpretation.**

2. (1) In this Act—

“company” means a joint stock company duly incorporated under and subject to the provisions of the Companies Act, Cap. 21.03;

“newspaper” means any paper containing public news, intelligence, or occurrences, or any remarks, observations, or comments in relation to such news, intelligence, or occurrences, printed for sale and published in the State periodically, or in parts or numbers at intervals not exceeding twenty-six days between the publication of any two such papers, parts or numbers, and “newspaper” also means any paper printed in order to be dispersed and made public weekly or oftener, or at intervals not exceeding twenty-six days, containing only or principally advertisements, but shall not include any *official Gazette*.

(2) The definition of the term “newspaper” shall be deemed to include any kind of paper, periodical or publication which—

- (a) by reason of the nature of its contents or the period between the publication of successive issues or for any other reason is not already within the scope of the said definition;
- (b) is printed and published in the State; and
- (c) is published, or intended to be published, at intervals not exceeding three months.

**Power of Minister to exempt papers, etc., from the operation of this Act.**

3. It shall be lawful for the Minister, by Order, to exempt from the provisions of this Act any paper, periodical or publication which is brought within the provisions of the said Act by section 2 and at any time by Order to withdraw such exemption.

*(Amended by Act 6 of 1976)*

**Bond required.**

4. No person shall print or publish or cause to be printed or published within the State any newspaper unless he or she shall have previously given and executed and registered in the office of the Registrar of Deeds in the State a bond in the sum of nine hundred and sixty dollars with one or 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 the Crown, every penalty which may at any time be imposed upon or adjudged against him or her 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 her or them under the provisions of this Act.

*(Amended by Act 6 of 1976)*

**Bond by company.**

5. 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.**

6. 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.**

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

**Execution of bond.**

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

**Withdrawal of surety.**

9. If any surety shall be desirous of withdrawing from such bond and being discharged from his or her suretyship thereunder, he or she shall be entitled so to withdraw and be discharged at the expiration of twenty days after service of a notice in writing of his or her 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 always 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.

**New bond in certain cases.**

10. In every case where any surety under any bond required by this Act—
- (a) shall have paid the whole or any part of the sum for which he or she shall have become bound;
  - (b) shall die;
  - (c) shall have been declared a bankrupt or shall have been discharged under any law of bankruptcy for the time being in force in the State;

- (d) shall have left the State without leaving sufficient property therein to satisfy any sum for which he or she 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.

**Publication without bond.**

**11.** If any person prints or publishes or causes to be printed or published or sells or offers 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 seven hundred and fifty dollars for each and every such act done and committed.

*(Amended by Act 7 of 1976 and 9 of 1986)*

**Recovery of penalties.**

**12.** 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.

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