

CAP. 79.

CYPRUS

PRESS

CHAPTER 79 OF THE LAWS

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1959

CHAPTER 79.

PRESS.

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A LAW TO AMEND AND CONSOLIDATE THE LAWS RELATING
TO THE PRINTING AND PUBLICATION OF NEWSPAPERS
AND OTHER PUBLICATIONS, THE REGISTRATION OF
BOOKS AND THE KEEPING OF PRINTING PRESSES.

[23rd December, 1947.]

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PART I.

PRELIMINARY.

1. This Law may be cited as the Press Law. Short title.
2. (1) In this Law unless the context otherwise requires—Interpreta-
tion.
 - “book” includes every volume, part or division of a volume, and pamphlet in any language, and every sheet of music, map, chart or plan separately printed or lithographed, but does not include any publication which consists merely of a price list, sale catalogue, annual report, trade circular or trade advertisement ;
 - “corporate body” means any body of persons incorporated in the Colony under any Law in force for the time being ; 2(a) of 25/51.
 - “Judge” means a member of a District Court ;
 - “newspaper” means any paper containing public news, intelligence, reports of occurrences or any remarks, observations or comments in relation to such news, intelligence or occurrences, printed for sale or free distribution, and includes a supplement thereto ;
 - “printing press” includes every machine and apparatus adapted or apparently intended for reproducing words, pictures or signs on paper, cloth or other similar material and every part of any such machine or apparatus, but shall not include any apparatus intended and used for reproducing plans only or any purely photographic apparatus intended and used for reproducing photographs only or any apparatus intended and used solely for multiplying copies of written or typewritten correspondence or circulars ;
 - “proprietor” includes the sole proprietor of any newspaper and, 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 ;

“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.

2(b) of 25/51.

(2) Whenever in this Law any act or thing is to be done by a proprietor or by any person as a proprietor or possessor, such act or thing, when the proprietor or other person is a corporate body, shall be done by a person who satisfies the Administrative Secretary that he is authorized to act for or on behalf of such corporate body under the provisions of the Law under which such body is incorporated and in every other case shall be done by the individual person concerned or, in the case of a divided proprietorship or joint possession, by every co-proprietor or joint possessor.

PART II.

NEWSPAPERS.

Declaration and bond to be furnished before printing or publishing a newspaper.

3(i) of 25/51.

First Schedule.

3. (1) Subject to the provisions of subsections (2) and (3) hereof, no person shall print or publish or cause to be printed or published any newspaper in the Colony, unless he first furnishes the Administrative Secretary with—

(a) a declaration on oath to be made and subscribed before a Judge in the form contained in the First Schedule to this Law, setting forth the particulars therein set out, made and signed by the person named therein as proprietor of the newspaper to which it relates; and

(b) a bond in the sum of five hundred pounds executed before and certified by a certifying officer appointed under the Certifying Officers Law or any Law amending or substituted for the same, signed by the person named in the statutory declaration as the proprietor and secured to the satisfaction of the Administrative Secretary either by a surety or sureties or by mortgage or deposit of money or other securities

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as the Administrative Secretary may, in any case, direct, conditioned that the proprietor shall pay to Her Majesty every penalty which may be imposed upon, or adjudged against, him upon any conviction for printing or publishing or publishing or causing to be printed or published any seditious or other libel at any time after the execution of the bond and also any damages or compensation and costs on any judgment for the plaintiff in any action for libel against the proprietor and all other penalties whatsoever which may be imposed upon, or adjudged against, him under the provisions of this Law,

and obtains a receipt as in section 4 of this Law provided.

(2) Any person who on the 4th December, 1947, holds a permit in force on such date for the publication of a newspaper granted to him under the provisions of the Newspaper, Books and Printing Presses Laws, 1934 to 1944, may continue publication of the newspaper to which the permit related for a period of twenty-one days from the date of the commencement of this Law, notwithstanding that he has not furnished any declaration in respect of such newspaper.

(3) No person who has entered into and deposited a bond with the Administrative Secretary under the provisions of the Newspaper, Books and Printing Presses Laws, 1934 to 1944, being a bond in force on the 4th December, 1947 (hereinafter referred to as "the first bond"), shall furnish a new bond under the provisions of this Law in respect of the newspaper for which the first bond had been deposited, and the first bond shall be deemed to be a bond furnished under the provisions of this Law, notwithstanding that such bond is in the sum of two hundred pounds only :

Provided that, upon the happening of any of the events set out in section 6 (1) of this Law, the person who had entered into the first bond shall not print or publish or cause to be printed or published the newspaper in respect of which the first bond had been deposited unless and until he shall have furnished the Administrative Secretary with a new bond as in paragraph (b) of subsection (1) hereof provided.

(4) (a) Subject to paragraph (b) of this subsection, ^{3(ii) of 24/51.} whenever any change occurs in any of the particulars in any declaration, then and in every such case the proprietor or

his agent duly authorized by power of attorney deposited in the office of the Administrative Secretary shall, within three days of such change, furnish the Administrative Secretary with a statement signed by such proprietor containing true and full particulars of such change.

(b) If the proprietor named in a declaration is changed the new proprietor shall furnish the Administrative Secretary with a new declaration and bond as in subsection (1) hereof provided.

3(ii) of 24/51.

(5) No person shall be deemed to have printed or published a newspaper solely because in the course of his employment or occupation he takes part in the printing or publication of the newspaper as a compositor or distributor.

3(ii) of 24/51.

(6) Any person who acts in contravention of, or fails to comply with, the provisions of subsection (1) or (4) hereof shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and every copy of the newspaper printed or published in contravention thereof shall be forfeited.

Filing of
declaration
and bond
and issue
of receipt.
3 of 10/51.

4. Upon receiving a declaration and a bond, as in section 3 of this Law provided, the Administrative Secretary shall file or cause the same to be filed in his office and shall, thereupon, give or cause to be given to the proprietor of the newspaper, in respect of which the declaration and bond were furnished, a receipt bearing the date on which such declaration and bond were furnished, and such receipt shall be admissible in all proceedings as evidence of all that is stated therein relating to such declaration and bond.

Withdrawal
of surety.

5. (1) If any surety desires to withdraw from a bond and to be discharged from his suretyship thereunder, he shall give notice therefor in writing to the Administrative Secretary and to his principal and other co-sureties, if any.

(2) Upon the expiration of a period of twenty days from the giving of such notice or, with the consent of the Administrative Secretary, at any time within such period, the surety giving such notice shall be discharged from his suretyship under the bond :

Provided that the discharge of the surety under this section shall not affect the liability of—

(a) any other surety under the bond ; or

- (b) the surety so discharged for any forfeiture, fine, penalty, damages, compensation or costs then already imposed or adjudged or which may, at any time thereafter, be imposed or adjudged in respect of any seditious or other libel printed or published before the date of such discharge or on any conviction under the provisions of this Law for anything done or omitted to be done before the date of such discharge.

6. (1) In every case where—

New bond in certain cases.

- (a) any surety under any bond furnished as in section 3 of this Law provided—

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

(ii) shall die ;

(iii) shall have been declared bankrupt under any Law relating to Bankruptcy in force for the time being ;

(iv) shall have left the Colony without leaving sufficient property therein to satisfy any sum for which he shall have become bound ; or

(v) shall have been discharged from such suretyship as in section 5 of this Law provided ;

- (b) any proceedings shall have been taken under any bond furnished as in section 3 of this Law provided,

then and in every such case the newspaper in respect of which the bond had been furnished shall cease to be printed or published, unless and until the proprietor shall have furnished the Administrative Secretary with a new bond to the amount and in the manner provided in section 3 of this Law.

7. (1) A proprietor may, at any time, after the expiration of two years from the date of the last publication of his newspaper, apply to the Administrative Secretary for the cancellation of the bond and the withdrawal of any security deposited or given by the proprietor himself in connection therewith and, thereupon, the Administrative Secretary shall cancel such bond and shall return it to the proprietor together with any security which the proprietor has deposited or given in pursuance of the provisions of section 3 of this Law.

Withdrawal of bond and security by proprietor.
4 of 10/51.

(2) Nothing in this section shall affect the provisions of section 5 of this Law with regard to the withdrawal of a surety as in that section provided.

Name and address of proprietor to be printed on newspaper.

8. (1) At the foot of the last page of each copy of every newspaper published in the Colony and at the foot of the last page of each copy of every supplement thereto, there shall be printed the name and address of the proprietor (or where the proprietor is a company, the registered name and the address of the registered office thereof) and the place of the printing of such newspaper and supplement.

(2) Any person who prints or publishes or causes to be printed or published any newspaper or supplement thereto not containing the particulars aforesaid shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds and every copy of the newspaper or supplement so printed or published shall be forfeited.

Delivery of copy of newspaper to the Administrative Secretary.

9. (1) The proprietor of every newspaper shall, every day upon which such newspaper shall be published, or within three days thereafter, deliver or cause to be delivered to the Administrative Secretary, for filing in his office, a copy of every newspaper so published and of every supplement thereto signed by the proprietor or by his agent duly authorized by power of attorney deposited in the office of the Administrative Secretary.

4 of 25/57.

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence and shall be liable to a fine not exceeding five pounds.

Annual returns of particulars of newspapers.

10. (1) The proprietor of every newspaper shall in the month of January in every year furnish the Administrative Secretary with a return containing the following particulars :—

- (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, and places of abode ; and
- (c) the circulation of the newspaper during the previous calendar year ending on the 31st December.

(2) Any person who fails to comply with the provisions of this section or who furnishes a return containing any particular which is false shall be guilty of an offence and shall be liable to a fine not exceeding twenty-five pounds.

11. Upon compliance with the requirements of sections 3 and 4 of this Law, the title of the newspaper, in respect of which the statutory declaration and bond have been furnished and filed, 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.

Property in the title of a newspaper.

12. (1) The Governor in Council may, by Order published in the Gazette, prohibit the importation, introduction or circulation in the Colony of any newspaper published outside the Colony which appears to the Governor in Council to be contrary to religion or morality or prejudicial to peace, public order or good government in the Colony.

Power to Governor in Council to prohibit importation, etc., of newspapers.
5 of 10/51.

(2) Any person who, without lawful authority or excuse, the proof of which lies upon him, has in his possession or who sells or distributes any such prohibited newspaper or reproduces or publishes any of the contents of any such newspaper shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine and every copy of such newspaper shall be forfeited.

PART III.

BOOKS.

13. (1) Three printed or lithographed copies of the whole of every book printed or lithographed in the Colony after the date of the commencement of this Law, together with all maps, prints or other engravings belonging thereto, finished and coloured in the same manner as the best published copies of the same, and also of any second or subsequent edition which shall be so produced with any additions or alterations, whether the same shall be in letterpress or in the maps, prints or other engravings belonging thereto, and whether the first edition of the book shall have been produced before or after the date of the commencement of this Law, shall, within one month after the day which any such book shall first be delivered out of the press, and notwithstanding any agreement (if the book be published) between the printer and publisher

Three copies of books to be delivered to Administrative Secretary.

thereof, be delivered free of any charge, claim or demand whatsoever by the printer, bound, sewed or stitched together and upon the best paper on which the same shall be printed or lithographed, to the Administrative Secretary who shall thereupon give or cause to be given to the printer a receipt therefor.

(2) Any printer who fails to comply with the provisions of subsection (1) hereof shall be guilty of an offence and shall be liable to a fine not exceeding two pounds, unless he proves to the satisfaction of the Court that his failure was due to the failure of the publisher or other person employing the printer to comply with the provisions of section 14 of this Law.

Publisher to supply printer with books, etc.

14. (1) The publisher or other person employing the printer shall, at a reasonable time before the expiration of one month as in section 13 of this Law provided, supply such printer with all books, maps, prints and engravings, finished and coloured which may be necessary to enable him to comply with the requirements of the said section.

(2) Any publisher or other person employing any printer, who fails to comply with the provisions of subsection (1) hereof shall be guilty of an offence and shall be liable to a fine not exceeding two pounds.

Power to exclude any class of books.

15. The Governor in Council may, by Order published in the Gazette, exclude any class of books from the operation of this Part of this Law.

Registration of books.

16. There shall be kept at the office of the Administrative Secretary a book to be called "A Catalogue of Books Printed in Cyprus", wherein shall be registered a memorandum of every book which shall have been delivered pursuant to section 13 of this Law. The memorandum shall (so far as may be practicable) contain the particulars set out in the Second Schedule to this Law and shall be made and registered as soon as possible after the delivery of each book.

Second Schedule.

Disposal of copies.

17. Two of the copies delivered to the Administrative Secretary shall be transmitted by him to the Keeper of the Department of Printed Books at the British Museum, and the remaining copy shall be deposited in such public library, or be otherwise disposed of, as the Governor shall from time to time direct.

PART IV.

OTHER PUBLICATIONS.

18. (1) All printed publications, other than newspapers or books and *bona fide* commercial publications, shall bear at the foot of the last page thereof the name of the printer and publisher thereof.

Publications
other than
newspapers
and books.

(2) Any person printing or publishing any such publication in contravention of subsection (1) hereof shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine.

PART V.

PRINTING PRESSES.

19. (1) Subject to the provisions of subsection (2) hereof, no person shall have in his possession any printing press, unless—

Declaration
and fee for
possession
of printing
press.

(a) he first furnishes the Administrative Secretary with a declaration on oath to be made and subscribed before a judge in the form contained in the Third Schedule to this Law, in respect of each and every such printing press, setting forth the particulars therein set out, made and signed by the person named therein as the person in possession of the printing press to which it relates ; and

Third
Schedule.

(b) he pays the fee prescribed in paragraph 1 of the Fourth Schedule to this Law.

Fourth
Schedule.
5 of 25/51.

(2) Any person who on the 4th December, 1947, held a permit in force on such date to keep or have in his possession a printing press granted to him under the provisions of the Newspaper, Books and Printing Presses Laws, 1934 to 1944, may continue to keep and have in his possession the printing press to which the permit related for a period of twenty-one days, notwithstanding that he has not furnished any declaration in respect of such printing press.

(3) Whenever any change occurs in any of the particulars in any declaration made under subsection (1) hereof,

then and in every such case a new declaration shall be made and forwarded to the Administrative Secretary.

(4) Any person who acts in contravention of, or fails to comply with, the provisions of subsection (1) or (3) hereof shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and any printing press in respect of which the offence has been committed shall be forfeited.

Adminis-
trative
Secretary to
file
declaration.

20. Upon receipt of a declaration as in section 19 of this Law provided, the Administrative Secretary shall file or cause the same to be filed in his office and shall, upon payment of the prescribed fee by the person furnishing such declaration, give or cause to be given to the person concerned a receipt bearing the date on which such declaration was furnished and such fee paid, and such receipt shall be admissible in all proceedings as evidence of all that is stated therein relating to such declaration and fee.

PART VI.

MISCELLANEOUS.

Certificates
by Adminis-
trative
Secretary.
Fourth
Schedule.

21. (1) The Administrative Secretary shall, upon application and payment of the fee prescribed in paragraph 2 of the Fourth Schedule to this Law, deliver to any person who may require it a copy of any declaration or bond filed under this Law, certified by the Administrative Secretary.

(2) The Administrative Secretary may, upon application and payment of the fee prescribed in paragraph 3 of the Fourth Schedule to this Law, deliver to any person who may require it a certificate signed by the Administrative Secretary verifying with reference to any particular newspaper or printing press, as the case may be, that no declaration and bond have been filed in his office.

Certificates
of Adminis-
trative
Secretary to
be evidence.

22. (1) A copy of any declaration or bond furnished under the provisions of this Law purporting to be certified by the Administrative Secretary shall be admissible in all proceedings as evidence of all the matters therein appearing.

(2) A certificate signed by the Administrative Secretary verifying with reference to any particular newspaper that no declaration and bond have been filed in his office shall be

admissible in all proceedings as evidence of all matters therein appearing.

23. (1) The proprietor shall publish free of charge, not later than in the second issue of his newspaper after receipt thereof, a correction without additions or omissions of any statement of fact published in such newspaper if requested so to do by the Administrative Secretary, and any such correction shall be given the same prominence as the original statement.

Publication
of official
communica-
tions.

(2) The proprietor shall publish at the ordinary rates of charge for advertisements, not later than in the second issue of his newspaper after receipt thereof, any communication sent to him for publication by, or on behalf of, the Administrative Secretary.

(3) Any person who refuses or fails to comply with any request as in subsection (1) hereof or who fails to comply with the provisions of subsection (2) hereof shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine.

24. (1) Subject to subsection (2) hereof, the proprietor shall publish free of charge, not later than in the second issue of his newspaper after receipt thereof, a correction without additions or omissions of any statement of fact published in such newspaper if so requested in writing by the person referred to in such statement, and any such correction shall be given the same prominence as the original statement :

Right to
request
correction of
statement of
fact.

Provided that—

- (a) such correction shall be limited to a denial of the statement of fact which is alleged to be incorrect and to a statement setting forth the correct fact in connection therewith ;
- (b) the request for such correction shall be made within ten days from the date of the statement in connection with which such request is made or, if the person affected is not in the Colony when the statement is published, within ten days from his return to the Colony ;
- (c) if the person affected dies before the expiration of the ten days as hereinbefore, the request may be made, within that period, by any one of his heirs.

(2) The proprietor may refuse to publish a correction if it contains matter which, on the face of it, is defamatory and might expose the proprietor to proceedings criminal or civil.

(3) Any proprietor who refuses or fails to comply with a request as in subsection (1) hereof shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine.

(4) Proceedings for an offence under this section shall not be instituted except by the person having a right to make a request under the provisions of subsection (1) hereof.

(5) Nothing in this section contained shall prejudice or affect any other right or remedy of the person affected by any statement published in any newspaper.

Court to
order
compliance
with
provisions
of certain
sections.

25. (1) In addition to any penalty imposed upon any person for failure to comply with the provisions of section 9, 10, 13, 14, 19 or 23 of this Law, the Court trying the offence shall order the person convicted to comply with the provisions in respect of which the offence was committed.

(2) Any person who fails to comply with any order made under this section shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

(3) Nothing in this section shall affect the power of the Court to punish any person contravening any order under this section for contempt of Court, but so that a person shall not be punished twice for the same offence.

Proceedings
on the bond.

26. Proceedings may be taken upon any bond furnished under the provisions of this Law—

(a) by or on behalf of the Attorney-General for the recovery of any penalty imposed on the proprietor for printing or publishing or causing to be printed or published in the newspaper in respect of which the bond was furnished any seditious or other libel or for contravention of any of the provisions of this Law ;

(b) by the plaintiff in any action for libel printed or published in the newspaper in respect of which the bond was furnished for the recovery of any

damages or compensation and costs awarded to the plaintiff in such action.

27. Every declaration on oath made before a judge under the provisions of this Law shall be deemed to have been made in a judicial proceeding within the meaning of the Criminal Code, or any Law amending or substituted for the same.

Declarations deemed to have been made in judicial proceedings. Cap. 154.

28. A prosecution for an offence under this Law shall not be commenced—

Restriction on prosecutions.

- (a) unless it is commenced within six months of the time of the commission of such offence ; and
- (b) except by or with the consent of the Attorney-General :

Provided that nothing in this paragraph contained shall apply to any proceedings for an offence under section 24 of this Law.

29. Service of any process or notice under this Law shall be good, valid and effectual whenever served by delivering the same to the proprietor, printer or publisher of any newspaper at the house or building where the newspaper is printed, or by delivering the same to any person actually being in such place of printing, or, in the absence of any such printer or publisher or other person as aforesaid, by affixing the same on the door of any such place of printing as aforesaid.

Service of process or notice.

FIRST SCHEDULE.

(Section 3 (1) (a).)

DECLARATION IN RESPECT OF NEWSPAPER.

Particulars.

1. Full title of the newspaper :
2. Address of the premises wherein the newspaper is intended to be printed and also of the premises wherein it is intended to be published :
3. Name in full and address of every person who is intended to be the proprietor of the newspaper :
4. Language in which the newspaper will be published :
5. Intervals at which the newspaper will be published :
6. Proposed rates for advertisements :

DECLARATION.

I, of being the proprietor of the aforementioned newspaper, declare on oath that all the particulars hereinbefore set out are true.

(Signature of Proprietor).

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

District Court of

SECOND SCHEDULE.

(Section 16.)

PARTICULARS OF MEMORANDUM OF BOOKS.

1. The title of the book and the contents of the title-page, with a translation into English of such title and contents, when they are not in the English language :
2. The language in which the book is written :
3. The name of the author, translator or editor of the book or any part thereof :
4. The subject :
5. The place of printing and the place of publication :
6. The name or firm of the printer and the name or firm of the publisher :
7. The date of issue from the press or of the publication :
8. The number of sheets, leaves or pages :
9. The size :
10. The number of the edition :
11. The number of copies of which the edition consists :
12. Whether book is printed or lithographed :
13. The price at which the book is sold to the public :
14. The name and residence of the proprietor of the copyright or of any portion of such copyright :

THIRD SCHEDULE.

(Section 19 (1).)

DECLARATION IN RESPECT OF PRINTING PRESS.

Particulars.

1. Name in full and address of possessor :
2. Trade, occupation or profession :
3. Description of the printing press : (*Name and address of the maker and type of the printing press should be given.*)
4. Address of the premises wherein the printing press is intended to be kept :

DECLARATION.

I, of declare on oath that all the particulars herein-
before set out are true.

(Signature of possessor.)

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

District Court of .

FOURTH SCHEDULE.

(Sections 19 and 21.)

- | | |
|---|-----------|
| 1. For a permit in respect of a printing press under sections 19 (1) | £1. |
| 2. For a copy of declaration and bond under section 21 (1) | 250 mils. |
| 3. For certificate under section 21 (2) | 100 mils. |