

New Zealand.

**PRINTERS AND NEWSPAPERS
REGISTRATION.**

1908, No. 148.

AN ACT to consolidate certain Enactments of the General Assembly relating to the Registration of Printers and Newspapers.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. (1.) The Short Title of this Act is "The Printers and Newspapers Registration Act, 1908."

Enactments consolidated.

(2.) This Act is a consolidation of the enactments mentioned in the First Schedule hereto, and with respect to those enactments the following provisions shall apply:—

Savings.

- (a.) All registers, registrations, affidavits, notices, certificates records, instruments, and generally all acts of authority which originated under any of the said enactments, and are subsisting or in force on the coming into operation of this Act, shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated.
- (b.) All matters and proceedings commenced under any such enactment, and pending or in progress on the coming into operation of this Act, may be continued, completed, and enforced under this Act.

Interpretation.

1868, No. 17, secs.
3, 10
1892, No. 50, sec. 4

2. In this Act, if not inconsistent with the context,—

"Newspaper" includes every paper or pamphlet (other than those hereinafter excepted) containing any public news, intelligence, or occurrence, or any remarks or observations thereon or on any political matter, and published for sale periodically, or in parts or numbers at intervals not exceeding twenty-six days between the publication of any two

such papers or pamphlets or parts or numbers, at a price of sixpence or any less amount; but does not include any document published in the course of his duty by the Government Printer or any document containing only matter wholly of a commercial nature:

“ Person ” includes an incorporated company:

“ Registrar ” includes Deputy Registrar.

REGISTRATION OF PRINTING-PRESSES.

3. (1.) Every person who has any printing-press or types for printing shall give to the Registrar of the Supreme Court office nearest to the place where such printing-press or types are situated, notice thereof in writing signed by the person having such printing-press or types as aforesaid, and attested by a witness, and such Registrar shall file all such notices and shall give to the person giving the notice a certificate under this Act.

Notice of press or types to be filed with Registrar. 1868, No. 17, sec. 4

(2.) If the printing-press or types are owned by an incorporated company, the notice may be signed and given by the manager, managing director, or chairman of directors thereof on behalf of such company.

Where press owned by incorporated company. 1892, No. 50, sec. 2

(3.) Such notice and certificate shall be in the form in the Second Schedule hereto or to the like effect.

4. (1.) Every person who prints any paper or book for publication or dispersion, whether gratuitously or for money, shall print in legible characters on the front of every such paper if it is printed on one side only, and on the first and the last leaf of every paper or book if there is more than one such leaf, his name and the name of the place and (if it is a town) of the street or other part thereof in which his usual place of abode is situate.

Printer's name to be printed on every published work. 1868, No. 17, sec. 5

(2.) If the paper or book is printed by an incorporated company, then in the place where the name and place of abode is required to appear the company shall cause to be printed its name or some known abbreviation thereof, and its registered office or any place where its business is conducted.

1892, No. 50, sec. 3

5. Every person who prints any paper for or in the expectation of hire, gain, or profit shall keep one copy at least of every such paper, and shall write or print thereon the name and the place of abode of the person by whom he has been employed to print the same.

Printer to keep record of employer's name and address. 1868, No. 17, sec. 6

6. If any person sells or offers for sale, or gratuitously delivers or offers so to deliver or leave in any public place or otherwise expose to public view, any printed paper on which the name and place of abode of the printer is not printed in the manner hereinbefore directed, or on which a fictitious or false name or place of abode is printed, any person in whose presence any such act is done may seize and detain such first-mentioned person and take or deliver him to some constable to be taken before a Justice that such Justice may hear and determine whether the person so taken has been guilty of an offence against this Act.

Persons distributing unauthenticated papers may be arrested. Ibid, sec. 7

7. (1.) If any Justice, from information on oath, has reason to suspect that any printing-press or types for printing are used or kept for use without notice given and certificate obtained as hereinbefore required, or in any house or place not included in such notice and certificate, such Justice may by his warrant direct any constable with his

Search-warrant may be granted for unregistered presses. Ibid, sec. 8

assistants (if any) to enter in the daytime into any such house or place and search for any printing-press or types for printing.

(2.) Every such constable with such assistance as aforesaid may enter into such house or place in the daytime accordingly, and may seize, take, and carry away every printing-press found therein, and all the types and other articles thereto belonging, and all printed papers found in such house or place.

Exemptions from the foregoing provisions.
1868, No. 17, sec. 9

8. Nothing in this Act shall extend to the impression of any engraving or to the printing by letterpress of the name or the name and address or business or profession of any person and of the articles in which he deals, or to any papers for the sale of land or chattels by auction or otherwise, or to any bank-note, bill of exchange, or promissory note, or to any bond or other security for the payment of money, or to any bill of lading, policy of insurance, letter of attorney, deed or agreement, or to any receipt for money or goods, or to any legal instrument or proceeding in the Court of Appeal, the Supreme Court, or any inferior Court, or to any papers printed by the authority of any Department of the Government.

REGISTRATION OF NEWSPAPERS.

All newspapers to be subject to this Act.
Ibid, sec. 11

9. No person shall print or publish any newspaper unless and until the affidavits have been registered as hereinafter directed.

Affidavits of publication to be registered.
Ibid, sec. 12

10. (1.) Where any person desires to publish a newspaper, or where in any registered newspaper any change is at any time made in any of the particulars hereby required to be stated respecting the same, or on a written requisition from the Minister of Internal Affairs, the publisher of such newspaper shall deposit with the Registrar of the Supreme Court office nearest to the place where such newspaper is or is intended to be published an affidavit duly sworn and signed by the proprietors of such newspaper and by the persons intended to be the printer and the publisher thereof respectively.

(2.) Such affidavit shall be in the form, or as near thereto as may be, and shall contain the statements specified in the Third Schedule hereto.

Affidavit conclusive evidence of its statements.
Ibid, sec. 13

11. In all proceedings, civil or criminal, touching any such newspaper or anything therein contained, such affidavit shall be conclusive evidence as against every person signing the same of the truth of all such matters as in accordance with this Act are therein set forth.

Disclaiming affidavit to be registered.
Ibid, sec. 14

12. Where any person has made any such affidavit, if he deposits with the Registrar aforesaid an affidavit stating that he is no longer connected with the newspaper in the capacity set forth in such first-mentioned affidavit, he shall not, from the date on which he deposits the same, be taken by reason of such first-mentioned affidavit only to be connected with such newspaper.

Register of affidavits open to the public.
Ibid, sec. 15

13. Every Registrar shall cause to be registered all affidavits deposited with him under this Act, and such register shall at all reasonable times be open without charge to public inspection.

Names of printer and publisher of paper to be printed therein.
Ibid, sec. 16

14. At the end of every newspaper and of any and every supplement sheet thereof there shall be printed the Christian name and surname, addition, and place of abode of its printer and its publisher, and a true description of the place where the newspaper is printed and published respectively, and the day of the week, month, and year on which the same is published; and the omission of the same or of any

part thereof shall be *prima facie* evidence of wilful default against any such printer or publisher.

15. In any proceedings, civil or criminal, touching any newspaper or anything therein contained against any person who has made any such affidavit as aforesaid, if any such affidavit or a certified copy thereof is produced in evidence, and if a newspaper is so produced intituled in the same manner as the newspaper mentioned in such affidavit or copy, and in which the names of the printers and publishers and the place of printing are the same as the names of the printers and publishers and the place of printing mentioned in such affidavit or copy, it shall not be necessary to prove that the newspaper to which such proceedings relate was purchased at any house, shop, or office belonging to or occupied by the defendant or his servants, or where he or they severally carry on the business of printing and publishing, or where the same is sold.

Proof of purchase of paper at defendant's office dispensed with. 1868, No. 17, sec. 17

16. Where in proceedings in the Supreme Court the plaintiff claims discovery of the name of any person concerned in the property of or in any newspaper as printer or publisher, or otherwise of any matter relating to the printing or publishing thereof, in order to enable him the more effectually to bring or carry on any action for damages by him alleged to have been sustained by reason of any libellous matter concerning him therein contained, the defendant shall not be permitted to dispute such claim, but shall be compellable to make the discovery thereby required :

Discovery in cases of libel in newspaper. Ibid, sec. 18

Provided that no discovery shall be used for any purpose in any other proceeding than that in and for the purposes of which the discovery is made.

17. (1.) Where an incorporated company desires to publish any newspaper, the provisions of section ten hereof shall be complied with on behalf of such company as proprietor by the manager, managing director, or chairman of directors thereof, and the affidavit in such case may be in the form in the Third Schedule hereto or any suitable modification thereof.

Where newspaper is published by incorporated company. 1892, No. 50, sec. 5

(2.) In such case the affidavit prescribed by that section shall be conclusive evidence against such company in the same manner in which by section eleven hereof it is made conclusive evidence against a proprietor signing such affidavit, and an affidavit on behalf of such company under section twelve hereof may be made in like manner, and section fifteen hereof shall apply to any company on whose behalf any such affidavit has been made.

Ibid, sec. 6

OFFENCES.

18. Every person is liable to a fine of not less than five nor more than twenty pounds who keeps or uses any printing-press or types for printing without having delivered the notice and received the certificate hereinbefore required, or who after such delivery and receipt uses any printing-press or any type for printing in any other place than the place expressed in such notice.

Unregistered printing. 1868, No. 17, sec. 18

19. Every person who prints any paper or book and omits to print therein his name and place of abode as required by this Act, or who publishes or disperses, or assists in publishing or dispersing, whether gratuitously or for money, any paper or book in which the name and place of abode of the printer thereof is not printed as aforesaid, is liable

Omission of printer's name. Ibid, sec. 20

for every such copy so published or dispersed by him (but not for more than twenty-five copies in the whole) to a fine of not less than five nor more than twenty pounds.

Printer not
recording employer's
name.
1868, No. 17, sec. 21

20. Every person is liable to a fine of not less than five pounds nor more than twenty pounds who prints any paper or book for hire, gain, or profit and neglects to write or print on a copy thereof the name and place of abode of his employer, or to keep such copy for six months next after the printing thereof, or who refuses or neglects to produce and show the same to any Justice who within such six months requires to see the same.

Unregistered
newspaper.
Ibid, sec. 22

21. Every person is liable to a fine not exceeding twenty pounds who wilfully sells or delivers out or wilfully prints or publishes any newspaper in respect of which the affidavit required by this Act has not been registered, either originally or as often as this Act requires, or who wilfully prints or publishes any newspaper or supplement thereto whereon the several particulars required by section fourteen hereof are not printed as required by this Act, or whereon there is printed any false name, addition, place, or day, or whereon there is printed any description of the place of printing or publishing such newspaper, differing in any respect from the description of the house or building mentioned in the affidavit required by this Act as the house or building wherein such newspaper is intended to be printed or published.

Recovery and
application of fines.
Ibid, sec. 23

22. All fines incurred under this Act may be recovered in a summary manner before two or more Justices in the manner provided by "The Justices of the Peace Act, 1908," and one moiety of every fine so recovered in respect of any offence against the provisions of this Act relating to the registration of printing presses and types shall be for the use of the person who informs or sues for such fine.

SCHEDULES.

FIRST SCHEDULE.

ENACTMENTS CONSOLIDATED.

1868, No. 17.—"The Printers and Newspapers Registration Act, 1868.

1892, No. 50.—"The Printers and Newspapers Registration Act 1868 Amendment Act, 1892."

SECOND SCHEDULE.

NOTICE TO REGISTRAR THAT PERSON GIVING NOTICE KEEPS A PRINTING-PRESS AND TYPES FOR PRINTING.

Section 3.
1868, No. 17, First
Schedule.

To the Registrar of the Supreme Court at
PURSUANT to "The Printers and Newspapers Registration Act, 1908," J. A. B., of [Place of abode and occupation], do hereby declare that I have a printing-press and types for printing which I purpose to use for printing within and which I require to be entered for that purpose according to law.

Witness my hand, this day of , 19 .

Signed in the presence of—

A. B.

C. D. [Add occupation and place of abode].

CERTIFICATE THAT NOTICE GIVEN OF A PRINTING-PRESS AND TYPES FOR PRINTING.

"The Printers and Newspapers Registration Act, 1908."

I HEREBY certify that A. B., of [Place of abode and occupation], has delivered to me a notice in writing appearing to be duly signed by him and attested by a witness that he the said A. B. has a printing-press and types for printing which he purposes to use for printing within , and which he has required to be entered according to law.

Witness my hand, this day of , 19 .

E. F.,

Registrar of the Supreme Court at

THIRD SCHEDULE.

AFFIDAVIT FOR REGISTRATION OF NEWSPAPER.

In the matter of the newspaper.

Section 10.
Ibid, Second
Schedule.

PURSUANT to "The Printers and Newspapers Registration Act, 1908," we, A. B., C. D., E. F., and G. H., of [Place of abode and occupation], do hereby make oath and say as follows:—

1. A. B. and C. D. propose to carry on the business of vending a newspaper named the , and are the proprietors thereof.
2. The intended printer of the said newspaper is E. F., of
3. The intended publisher of the same is G. H., of
4. The intended place of printing the same is
5. The above-mentioned names, additions, and places of abode and descriptions of premises are the true and real names, additions, and places of abode and descriptions of the several persons to whom and of the premises to which they respectively refer.

Sworn before me, at , this day
of , 19 .

A. B.

C. D.

E. F.

G. H.

J. K.

A Solicitor [Registrar, or Deputy Registrar] of the Supreme Court.

AFFIDAVIT FOR INCORPORATED COMPANY.

In the matter of the newspaper.

Section 17.
1892, No. 50,
Schedule.

PURSUANT to "The Printers and Newspapers Registration Act, 1908," we, A. B., E. F., and G. H., of [Place of abode and occupation], do hereby make oath and say as follows:—

1. The Company (Limited), of which A. B. is manager [or managing director, or chairman of directors], propose to carry on the business of vending a newspaper named the , and the said company is the proprietor thereof.
2. The intended printer thereof is E. F., of

3. The intended publisher thereof is G. H., of

4. The intended place of printing the same is , and the registered office of the said company is at

5. The above-mentioned names, additions, and places of abode and descriptions of premises, and the name of the said company, are the true and real names, additions, and places of abode and descriptions of the several persons to whom and of the premises to which they respectively refer.

Sworn before me, at , this day
of , 19 .

A. B.
E. F.
G. H.

J. K.

A Solicitor [Registrar, or Deputy Registrar] of the Supreme Court.