MONTSERRAT

CHAPTER 6.18

NEWSPAPER SURETY ACT

Revised Edition
showing the law as at 1 January 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

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Amended by Act 4 of 1910	

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NEWSPAPER SURETY ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 6.18

NEWSPAPER SURETY ACT

(Acts 2 of 1909 and 4 of 1910)

Commencement

[1 June 1909]

Short title

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

Interpretation

2. In this Act—

"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, sheet or publication containing public news, intelligence of occurrences, or any remarks, observations or comments in relation to such news, intelligence or occurrences, printed for sale and published in Montserrat;

(b) any paper, sheet or publication printed in order to be dispersed and made public containing only or principally advertisements.

Bond required

3. No person shall print or publish or cause to be printed or published within Montserrat any newspaper unless he shall have previously given and executed and registered in the office of the Registrar of Deeds in Montserrat a bond in the sum of $960 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 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, 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 21 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.

New bond in certain cases

9. 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 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 Montserrat; or

(d) shall have left Montserrat 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.

Publication without bond

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 $120 for each and every such act done and committed.

Recovery of penalties

11. All penalties recoverable under any bond given under this Act shall be recovered as Crown debts by the Attorney General.

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