

BOOK AND NEWSPAPER REGISTRATION ACT, 1961 (ACT 73)

As amended by

THE BOOK AND NEWSPAPER REGISTRATION (AMENDMENT) ACT, 1963 (ACT 193)¹

ARRANGEMENT OF SECTIONS

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SEVENTY-THREE

ACT OF THE PARLIAMENT OF THE REPUBLIC OF GHANA

ENTITLED

THE BOOK AND NEWSPAPER REGISTRATION ACT, 1961

AN ACT to consolidate with amendments enactments providing for the preservation of copies of books printed in Ghana and the registration of books and newspapers.

DATE OF ASSENT: 10th August, 1961

BE IT ENACTED by the President and the National Assembly in this present Parliament assembled as follows:—

PART I—REGISTRATION OF BOOKS AND NEWSPAPERS

Section 1—Three Copies of Books to be Delivered to Government Within a Month of Being Printed.

(1) For the purposes of this Part "book" includes every volume, part or division of volume, pamphlet, sheet of letterpress, newspaper, sheet of music, map, chart, or plan separately produced, but does not include price lists, trade circulars, trade advertisements, or other legal or business documents.

(2) A printed copy of every book which is published in Ghana together with all maps, prints or other engravings belonging thereto, and also of any second or subsequent edition which is published shall or shall continue to be, within one month after the day on which such book is first taken out of the press and notwithstanding any agreement between the printer and publisher about the publication of such book, delivered free of charge by the printer to each person or institution specified in the First Schedule to this Act, and the said book shall be delivered with a memorandum containing the particulars mentioned in section 2(2) of this Act.[As substituted by The Book and Newspaper Registration (Amendment) Act, 1963 (Act 193) s. (a)].

(3) The President, on the advice of the Cabinet, may, by legislative instrument, amend the said First Schedule to this Act as respects any class or description of book specified in the instrument. [As substituted by The Book and Newspaper Registration (Amendment) Act, 1963 (Act 193) s. (a)].

(4) The publisher or other person employing the printer shall supply him—

(a) within a reasonable time before the expiration of the time specified in subsection (2), with all maps, prints, and engravings finished and coloured which may be necessary to enable him to comply with the requirements of this section,

(b) with any information required for the preparation of the memorandum referred to in section 2 (2) of this Act.

(5) A written receipt shall be given by the officer or person, to whom any copies of books are delivered under this Act.

Section 2—Catalogue to be Kept.

(1) There shall continue to be "A Catalogue of Books and Newspapers printed in Ghana", for the registration of books.

(2) Any person registering a book under this section shall submit to the officer in charge of the catalogue referred to in subsection (1) a memorandum on the book containing (so far as may be practicable) the following particulars:

(a) the title of the book and the contents of the title page with a translation into English of the title and contents when they are not in the English language;

(b) the language in which the book is written;

(c) the name of the author, translator, or editor of the book;

- (d) the subject;
- (e) the place of printing and the place of publication;
- (f) the name or firm of the printer, and the name or firm of the publisher;
- (g) the date of issue from the press or of the publication;
- (h) the number of sheets, leaves, or pages;
- (i) the size;
- (j) the number of the edition;
- (k) the number of copies of which the edition consists;
- (l) the price at which the book is sold to the public; and
- (m) the name and residence of the proprietor of the copyright or of any portion of such copyright.

Section 3—Publication of Memoranda Registered.

The memorandum registered during each quarter in the catalogue shall be published in the Gazette, as soon as may be after the end of such quarter.

Section 4—Penalty for Non-Delivery of Books by Printer.

Every printer who contravenes any provision of section 1 (2) of this Act shall be liable to a fine not exceeding five pounds.

Section 5—Penalty for Non-Supply of Books by Publisher.

Every publisher or other person employing any printer who neglects to supply him with any matter or information required under section 1 of this Act which may be necessary to enable the printer to comply with the provisions of this Act, shall be liable to a fine not exceeding five pounds.

Section 6—Regulations.

Regulations may provide for the exclusion of any class of books from the operation of the whole or any section of this Part.

Section 7—Government Publications.

This Part shall not apply to books printed by the Government Printer for or on behalf of the Government, except as directed by the Minister.

PART II— REGISTRATION OF NEWSPAPER PROPRIETORS

Section 8—Register of Newspaper Proprietors.

There shall continue to be a register of the proprietors of newspapers.

Section 9—Annual Returns to be Made.

(1) It shall be the duty of the printers and publishers of every newspaper to make or cause to be made to the registry office within one month after its first publication, and thereafter annually in the month of January in every year, a return of the following particulars in the form set out in Form A in the Second Schedule to this Act, namely—

- (a) the title of the newspaper;
- (b) the name and place of residence of the editor;
- (c) the name, place of business, and place of residence of the publisher;
- (d) the name, occupation, place of business and place of residence of any proprietor;
- (e) the name, place of business, and place of residence of the printer; and
- (f) the total circulation for the year prior to the making of the return, and the average daily, weekly, or other circulation, as the case may be, for that year.

(2) No return of circulation shall be required during the first year of publication. [As amended by The Book and Newspaper Registration (Amendment) Act, 1963 (Act 193), s(b)]

Section 10—Penalty for Omission to Make Return.

If no return is made as to any newspaper within the period referred to in section 9 of this Act, then each printer and publisher of the newspaper shall be liable to a fine of twenty-five pounds and in addition shall be ordered to make a return within a specified time.

Section 11—Return of Change in Proprietorship.

Any person who was a party to a transfer of or dealing with any share or interest in any newspaper whereby any person ceases to be a proprietor, or any new proprietor is appointed, may at any time make or cause to be made to the registry office a return according to Form B in the Second Schedule to this Act and containing the particulars therein set forth. [As amended by The Book and Newspaper Registration (Amendment) Act, 1963 (Act 193), s(b)]

Section 12—Return of Change of Editor, Publisher or Printer.

When any person is appointed as a new editor, publisher or printer, as the case may be, of a newspaper, he shall within seven days of his appointment make or cause to be made to the registry office a return according to Form C in the Second Schedule to this Act and containing the particulars therein set forth and any failure so to do shall render the offender liable to a fine not exceeding fifty pounds. [As amended by The Book and Newspaper Registration (Amendment) Act, 1963 (Act 193), s(b)].

Section 13—Penalty for Wilful Misrepresentation in or Omission from Return.

If any person knowingly and wilfully makes or causes to be made any return required or permitted to be made by this Act in which he inserts the name of any person as a proprietor of a newspaper who is not a proprietor thereof, or in which there is any misrepresentation, or from which there is an omission in respect of any of the particulars required to be contained therein whereby such return is misleading; or if any editor, publisher, proprietor or printer of a newspaper knowingly and wilfully permits any such return to be made which is misleading as to any of the particulars with reference to his own name, occupation, or place of business or residence; then and in every such case every such offender shall be liable to a fine not exceeding one hundred pounds.

Section 14—Registrar to Enter Returns in Register.

It shall be the duty of the Registrar forthwith to register every return made in conformity with this Part in a book to be called "The Register of Newspaper Proprietors". Any person may search and inspect the book during the hours of business at the registry office; and any person may, on payment of a fee of one shilling, require a copy of any entry in or an extract from the book to be certified by the Registrar.

Section 15—Certified Copies in, and Extracts from, Register to be Evidence.

(1) Every copy of an entry in and every extract from the register purporting to be certified by the Registrar shall be received as proof of the contents of the register so far as it appears in that copy or extract, without proof of the signature thereto; and every certified copy or extract shall in all proceedings, civil or criminal, be accepted as prima facie evidence of all the matters thereby appearing, unless the contrary is otherwise shown.

(2) A certificate purporting to be signed by the Registrar that he has received no return, or no return before a certain date, with regard to a particular newspaper shall in all proceedings, civil or criminal, be accepted as prima facie evidence of the fact of such non-receipt.

Section 16—Printers to Print Name, Etc., on Every Newspaper.

(1) The printer of every newspaper shall print on the first or last page of it his name and occupation and place of residence, and the name of the editor and the name of the publisher.

(2) Any person who prints any newspaper without complying with the requirements of subsection (1) or sells, publishes, disperses or assists in publishing or dispersing any newspaper on which the name and occupation and place of residence of the printer and the names of the editor and the

publisher are not printed shall for every copy so printed, sold, published, or dispersed be liable to a fine not exceeding five pounds.

Section 17—Power to make Regulations.

The Minister by legislative instrument may make regulations for giving effect to the provisions of this Act.

Section 18—Interpretation.

In this Act, unless the context otherwise requires—

"book" has the meaning given to it by section 1 (1) of this Act;

"Minister" means the Minister responsible for Information;

"newspaper" means any paper containing public news or occurrences, or any remarks or observations thereon printed for sale and published periodically or in parts or numbers at intervals not exceeding two months between the publication of any two such papers, parts or numbers;

"occupation" when applied to any person means his trade or following, and, if none, then his rank or usual title;

"place of residence" includes the street or quarter or place where the person to whom it refers resides;

"printed" as applied to books, means produced by printing, lithography, or any other like process;

"printer" has a corresponding meaning;

"Registrar" means the Registrar-General;

"registry office" means the principal office for the time being of the Registrar.

Section 19—Repeals and Saving.

(1) The Book and Newspaper Registration Ordinance (Cap. 124) and the Newspaper Registration Ordinance (Cap. 125) are repealed.

(2) Every statutory instrument made under any of the enactments repealed by this Act and in force immediately before the commencement of this Act shall continue in force as if made under the corresponding provision of this Act.

FIRST SCHEDULE

(Bodies to be supplied with books)

Ghana Library Board

The Registrar-General

The Library of the University of Ghana

The Library of the Kwame Nkrumah University of Science and Technology

The Library of the University College of Cape Coast

The Library of the Ghana Academy of Sciences and

The Library of the Kwame Nkrumah Institute of Economics and Political Science. [As inserted by Book and Newspaper Registration (Amendment) Act, 1963 (Act 193) s.(c).]

SECOND SCHEDULE

FORM A

(Section 9)

ANNUAL RETURN UNDER THE BOOK AND NEWSPAPER REGISTRATION ACT, 1961

PARTICULARS OF NEWSPAPER REQUIRED

Name of person making the Return

Office

Name of Editor

Editor's Residence

Name(s) of Publisher(s)

Place of Business of Publisher(s)

Place of Residence of Publisher(s)

Name(s) of Proprietor(s)

Place(s) of Business of Proprietor(s)

Place(s) of Residence of Proprietor(s)

Name of Printer

Place of Business of Printer

Place of Residence of Printer

Period of publication Circulation for previous year

(i) Total

(ii) Average per issue. (Not required on first registration)

(a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m)
(n) (o)

This Return was made to me by on the day of 19

Registrar.

FORM B

(Section 11)

RETURN OF CHANGE IN PROPRIETORSHIP UNDER THE BOOK AND NEWSPAPER
REGISTRATION ACT, 1961

Title of Newspaper Names of persons who cease to be proprietors Names of persons who
become proprietors Occupation of new proprietors Places of business of new
proprietors Places of residence of new proprietors

This Return was made to me by on the day of 19.....

Registrar.

FORM C

(Section 12)

RETURN OF CHANGE OF EDITOR, PRINTER OR PUBLISHER UNDER THE BOOK AND
NEWSPAPER REGISTRATION ACT, 1961

Name of person making the Return

Title of Newspaper

- (a) Name(s) of new person(s) appointed
- (b) Capacity in which appointed
- (c) Place of business of new person appointed
- (d) Place of residence of new person appointed

(e)

Title of Newspaper

This Return was made to me by on the day of 19

Registrar.