

PRINTING AND NEWSPAPERS.

No. 16 of 1961.

An Ordinance relating to the Registration of Printers and Newspapers, and for other purposes.

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the *Printing and Newspapers Ordinance* 1961.* **Short title.**
2. This Ordinance is divided into Parts, as follows:— **Parts.**
Part I.—Preliminary (Sections 1-4).
Part II.—Administration (Sections 5-8).
Part III.—Printing (Sections 9-19).
Part IV.—Newspapers (Sections 20-28).
Part V.—Miscellaneous (Sections 29-35).
3. The Newspapers Act, 1898 and the Printing Act, 1899 of the State of New South Wales cease to have effect in the Territory. **State Acts to cease to apply.**
- 4.—(1.) In this Ordinance, unless the contrary intention appears— **Interpretation.**
“Deputy Registrar” means a Deputy Registrar of Printers and Newspapers appointed under this Ordinance exercising powers or functions delegated to him under this Ordinance;
“magistrate” has the same meaning as in the *Court of Petty Sessions Ordinance* 1930-1958;
“newspaper” means a paper—
(a) that contains public news or reports of occurrences, or remarks or observations upon public news or occurrences or upon political matters; and

* Made on 10th July, 1961; notified in the *Commonwealth Gazette* and commenced on 20th July, 1961.

(b) that is printed for sale or gratuitous distribution and published periodically or in parts or numbers at intervals not exceeding thirty-six days between each publication,

but does not include a paper that is printed or published for the Commonwealth;

“paper” includes a book, pamphlet or sheet;

“print” means produce impressions, otherwise than by a typewriter, by the application of inked types, blocks, plates, stencils or lithographic stones, and “printed” and “printing” have corresponding meanings;

“printer”, in relation to a newspaper, means the person having the management and control of a printing press by which the newspaper is printed;

“printing press” means a machine or contrivance with which a paper may be printed, and includes any types, blocks, plates, stencils or lithographic stones that may be used with the machine or contrivance for the purpose of printing, but does not include—

(a) a machine or contrivance that is the property of the Commonwealth; or

(b) a roneo or other multigraph machine;

“proprietor” in relation to a newspaper, means the person having the management or control of the newspaper;

“publisher”, in relation to a newspaper, means the proprietor or other person who arranges for the distribution of the newspaper from the place where it is printed;

“registered newspaper” means a newspaper registered under Part IV.;

“registered printer” means a person whose name has been entered in the Register as a registered printer under Part III.;

“the Register” means the Register of Printers and Newspapers kept under this Ordinance;

“the Registrar” means the Registrar of Printers and Newspapers appointed under this Ordinance, and includes a Deputy Registrar.

(2.) A reference in this Ordinance to a form by number shall be read as a reference to the form so numbered in the Schedule to this Ordinance.

PART II.—ADMINISTRATION.

5. The Minister shall appoint a person to be the Registrar of Printers and Newspapers. Appointment of Registrar.

6. The Minister may appoint persons to be Deputy Registrars of Printers and Newspapers and may appoint such other officers as are necessary for the purposes of this Ordinance. Appointment of Deputy Registrars and other officers.

7.—(1.) The Registrar may, either generally or in relation to a matter or class of matters, by writing under his hand, delegate all or any of his powers and functions under this Ordinance (except this power of delegation) to a Deputy Registrar of Printers and Newspapers. Delegation by Registrar.

(2.) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.

(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Registrar.

8.—(1.) The Registrar shall keep a register, to be known as the Register of Printers and Newspapers, in which he shall enter all matters that by this Ordinance are required to be entered in the Register. Register to be kept.

(2.) The Register shall be open to inspection by the public at all reasonable times during office hours.

PART III.—PRINTING.

9. A person shall not, after the expiration of one month from the commencement of this Ordinance, have in his possession, custody or control a printing press unless— Printers to be registered.

(a) he is a registered printer; and

(b) the printing press is kept at an address at which he is registered to print.

Penalty: One hundred pounds.

10. A person may apply in accordance with Form 1 to the Registrar— Applications for registration by a printer.

(a) to have his name entered in the Register as a registered printer; and

(b) to have the address or addresses at which he prints or proposes to print entered in the Register as the address or the addresses at which he is registered to print.

Registration.

11. The Registrar shall, after receipt of an application under the last preceding section—

- (a) enter in the Register the name of the person as a registered printer and the address or addresses at which that person prints or proposes to print as the address or addresses at which that person is registered to print; and
- (b) issue to the person a certificate of registration in accordance with Form 2 in respect of the address or each of the addresses.

Registration of a new address for printing.

12.—(1.) A registered printer may apply in accordance with Form 3 to the Registrar to have a new address entered in the Register as an address at which he is registered to print.

(2.) The Registrar shall, after receipt of an application under the last preceding sub-section—

- (a) enter the new address in the Register as an address at which the registered printer is registered to print; and
- (b) issue to the registered printer a certificate of registration in accordance with Form 2 in respect of the new address.

Notification on ceasing to print at a registered address.

13.—(1.) A registered printer who ceases to print at an address at which he is registered to print shall, within seven days after ceasing to print at that address—

- (a) notify the Registrar in writing accordingly; and
- (b) return to the Registrar the certificate of registration issued in respect of the address.

Penalty: Twenty pounds.

(2.) Where the Registrar has reason to believe that a registered printer has ceased to print at an address, or at all of the addresses, at which he is registered to print, the Registrar may, by notice in writing served on the registered printer, call upon the registered printer to show cause, within the time specified in the notice, why the Registrar should not cancel the registration of the registered printer or the registration of the address at which the registered printer has ceased to print, as the case requires.

(3.) Where—

- (a) the Registrar has received a notice and certificate of registration under sub-section (1.) of this section; or

(b) a registered printer on whom a notice has been served under the last preceding sub-section does not, within the time specified in the notice, show cause to the satisfaction of the Registrar, the Registrar may cancel the registration of the registered printer or the registration of an address at which the registered printer is registered to print, as the case requires.

14. A registered printer shall display a certificate of registration issued to him under this Part in a prominent position at the address specified in the certificate.

Certificate of registration to be displayed.

Penalty: Ten pounds.

15.—(1.) A registered printer shall cause his name, preceded by the words “Printed by”, and followed by the word “at” and the address at which a paper is printed by him, to be printed in legible characters upon the front of the paper or, where the paper has more than one leaf, on the first and last pages of the paper.

Printer's name to appear on papers.

(2.) A person who produces a paper by a typewriter or a roneo or other multigraph process shall cause his name, preceded by the words “Printed by”, and followed by the word “at” and the address at which the paper is so produced by him, to be endorsed in legible characters upon the front of the paper or, where the paper has more than one leaf, on the first and last pages of the paper.

Penalty: One hundred pounds.

16.—(1.) A registered printer—

Printer to keep copy of paper.

(a) shall cause the name and address of the person for whom a paper, printed by him, was printed to be written or printed in fair and legible characters on a copy of that paper preceded by the words “Printed for”; and

(b) shall keep that copy of the paper for a period of six months from the date on which it was printed.

(2.) A registered printer shall, if the Registrar, during that period of six months, requests the production or surrender of a copy of a paper kept in pursuance of the last preceding sub-section, produce or surrender the copy to the Registrar.

Penalty: Twenty pounds.

17.—(1.) A person shall not sell, deliver, offer for sale or delivery, post, affix to an object or structure in, or leave in, a public place or expose to public view a paper that does not

Prohibition of distribution of papers not containing name and address of printer.

have printed in legible characters in a conspicuous part of the paper the name of the person by whom the paper was printed and the address at which the paper was printed.

Penalty: Twenty pounds.

(2.) For the purposes of the last preceding sub-section, impressions produced by a typewriter or a roneo or other multi-graph process shall be deemed to have been printed.

Exempted
papers.

18. Sections fifteen, sixteen and seventeen of this Ordinance do not apply to—

- (a) newspapers;
- (b) papers containing only impressions from engravings not intended for publication;
- (c) papers containing only the name, address, business or profession of a person and the designation of any article in which he deals;
- (d) papers relating to the sale of property by auction or otherwise;
- (e) bills of exchange, promissory notes, bonds or other securities for the payment of money, bills of lading, policies of insurance, letters or powers of attorney, deeds, agreements or process of a court;
- (f) papers that do not contain political, seditious, libellous, obscene or blasphemous matters;
- (g) papers printed for the Crown; or
- (h) papers that the Registrar has, by writing under his hand, exempted from the application of those sections.

Proof of
registration
of printer.

19.—(1.) The Registrar may, by writing under his hand, certify that, on a date or during a period specified in the certificate, a person whose name is specified in the certificate was a registered printer and that an address or addresses specified in the certificate was an address, or were the addresses, at which that person was registered to print.

(2.) The Registrar may, by writing under his hand, certify that, on a date or during a period specified in the certificate, a person whose name is specified in the certificate was not a registered printer.

(3.) A certificate under sub-section (1.) of this section is, in all courts, evidence that, on the date or during the period specified in the certificate, the person whose name is specified in the certificate was a registered printer and that he was registered to print at the address or addresses specified in the certificate.

(4.) A certificate under sub-section (2.) of this section is, in all courts, evidence that on the date or during the period specified in the certificate the person whose name is specified in the certificate was not a registered printer.

(5.) In any proceedings, whether civil or criminal, arising out of the printing of a paper, the production of a copy of a paper bearing the name of a registered printer is evidence of the printing of the paper by that registered printer.

PART IV.—NEWSPAPERS.

20.—(1.) A person shall not, after the expiration of one month from the commencement of this Ordinance, print or publish, or cause to be printed or published, a newspaper unless the newspaper is registered under this Part.

Newspapers to be registered.

(2.) The proprietor or the printer of a registered newspaper shall not print the newspaper or cause it to be printed except at the address entered in the Register as the address for the printing of the newspaper.

(3.) The publisher of a registered newspaper shall not publish the newspaper unless it has been printed at the address entered in the Register as the address for the printing of the newspaper.

Penalty: One hundred pounds.

21.—(1.) An application for the registration of a newspaper shall be in accordance with Form 4.

Application for registration of a newspaper.

(2.) The application shall be signed by the proprietor, the printer and the publisher of the newspaper.

22.—(1.) The registrar shall, after the receipt of an application under the last preceding section, register the newspaper by entering in the Register—

Registration.

(a) the name of the newspaper;

(b) the address at which the newspaper is or is to be printed as the address for the printing of the newspaper; and

(c) the names of the proprietor, the printer and publisher of the newspaper.

(2.) The Registrar shall issue to the proprietor of the newspaper a certificate of registration in accordance with Form 5.

23.—(1.) The proprietor of a registered newspaper may apply, in accordance with Form 6, to the Registrar—

Change in registered particulars.

(a) to have another name entered in the Register in the place of the name of the registered newspaper;

- (b) to have another address for the printing of a registered newspaper entered in the Register in the place of the address for the printing of the registered newspaper; or
- (c) to have the name of another person entered in the Register as the printer or publisher of the registered newspaper in the place of the publisher or printer of the registered newspaper.

(2.) An application under the last preceding sub-section shall be signed—

- (a) by the proprietor, the printer and the publisher of the registered newspaper; or
- (b) by the proprietor, the printer and the new publisher, by the proprietor, the new printer and the publisher or by the proprietor, the new printer and the new publisher, as the case requires.

(3.) The proprietor shall forward with the application the certificate of registration of the newspaper.

(4.) The Registrar, after receipt of an application and the certificate of registration under this section, shall—

- (a) alter the Register accordingly; and
- (b) issue to the proprietor a new certificate of registration in accordance with Form 5.

**Proprietor to
notify Registrar
upon cessation
of publication.**

24.—(1.) The proprietor of a registered newspaper that has ceased to be printed and published shall, within seven days after the cessation of publication—

- (a) notify the Registrar in writing accordingly; and
- (b) return to the Registrar the certificate of registration of the newspaper.

Penalty: One hundred pounds.

(2.) Where the Registrar has reason to believe that a registered newspaper has ceased publication, he may, by notice in writing served on the proprietor of the registered newspaper, call upon the proprietor to show cause, within the time specified in the notice, why the registration of the newspaper should not be cancelled.

(3.) Where—

- (a) the Registrar has received a notice and certificate of registration under sub-section (1.) of this section; or

- (b) a proprietor of a registered newspaper on whom a notice has been served under the last preceding sub-section does not, within the time specified in the notice, show cause to the satisfaction of the Registrar,

the Registrar may cancel the registration of the registered newspaper.

25. The proprietor of a newspaper shall display the certificate of registration of the newspaper at the address specified in the certificate as the address for the printing of the newspaper.

Certificate of registration to be displayed.

Penalty: Twenty pounds.

26. A person shall not print or sell, deliver, offer for sale or delivery, post, affix to an object or structure in, or leave in, a public place, or otherwise expose to public view a newspaper that does not contain printed in legible characters in some part of the newspaper the names of the printer and the publisher of the newspaper and the address at which it is printed.

Prohibition of printing or publishing newspaper not containing certain particulars.

Penalty: One hundred pounds.

27.—(1.) The Registrar may, by writing under his hand, certify that, on a date or during a period specified in the certificate—

Certificates by Registrar.

- (a) the persons specified in the certificate were shown in the Register as the proprietor, the printer and the publisher of the registered newspaper specified in the certificate; and

- (b) the address specified in the certificate was the address entered in the Register for the printing of the newspaper.

(2.) The Registrar may, by writing under his hand, certify that, on a date or during a period specified in the certificate, a newspaper specified in the certificate was not registered under this Part.

28.—(1.) In any proceedings, whether civil or criminal, arising out of the printing or publication of a registered newspaper or anything contained in a registered newspaper against a person who is alleged to be the proprietor, the printer or the publisher of the newspaper—

Evidence in proceedings relating to newspapers.

- (a) a certificate given under sub-section (1.) of the last preceding section is evidence that, on the date or during the period specified in the certificate, the persons specified in the certificate were the proprietor, the printer and the publisher of the newspaper; and

- (b) the production of a copy of a newspaper bearing the name of the registered newspaper specified in the certificate and purporting to have been published on a date or during a period so specified is evidence of publication of that newspaper on that date or during that period.

(2.) In any criminal proceeding arising out of the printing or publication of a newspaper, a certificate given under sub-section (2.) of the last preceding section is evidence that, on the date or during the period specified in the certificate, the newspaper specified in the certificate was not registered under this Part.

PART V.—MISCELLANEOUS.

Printing presses
may be seized
where illegally
used.

29.—(1.) After the expiration of one month from the commencement of this Ordinance, a magistrate who, from information on oath, has reason to suspect that a printing press—

- (a) is in the possession, custody or control of a person who is not a registered printer or the printer of a registered newspaper; or
- (b) is at an address other than an address at which a printer is registered to print or the address shown in the Register as the address at which a newspaper is printed,

may, by warrant under his hand, direct and authorize a member of the police force with such assistance (if any) as the member considers necessary to enter upon the place specified in the warrant and search for the printing press.

(2.) A member of the police force entering, in pursuance of a warrant issued under the last preceding sub-section, upon a place specified in the warrant may seize and take away a printing press found at that place and other articles that he has reason to believe have been used in connexion with the printing press and all printed papers that he has reason to believe have been produced by, or have been used in connexion with, the printing press found in the place.

(3.) A printing press and any articles or printed papers seized in pursuance of the last preceding sub-section are forfeited to the Crown and may be disposed of in such manner as the Minister directs.

Service upon a
registered
printer and a
proprietor,
printer or
publisher of a
newspaper.

30.—(1.) Service of a document upon a registered printer may be effected by—

- (a) leaving it with, or tendering it to, the registered printer;

- (b) leaving it with a person apparently above the age of sixteen years at the address at which the registered printer is registered to print; or
- (c) posting it in a prepaid registered letter to the registered printer at that address.

(2.) Service of a document upon a proprietor, a printer or a publisher of a registered newspaper may be effected by—

- (a) leaving it with, or tendering it to, the proprietor, the printer or the publisher, as the case may be;
- (b) leaving it with a person apparently above the age of sixteen years at the address entered in the Register as the place for the printing of the newspaper; or
- (c) posting it in a prepaid registered letter to the proprietor, the printer or the publisher as the case may be, at that address.

31.—(1.) Where an application or a notice is required to be, or may be, made or given under this Ordinance, such an application or notice made or given by a company shall be signed by—

Application,
&c., by a
company or
firm.

- (a) a director of the company; and
- (b) the manager or secretary of the company.

(2.) Where an application or a notice is required to be, or may be, made or given under this Ordinance, such an application or notice made or given by a firm shall be signed by a member of the firm.

32. Unless the contrary is proved—

Judicial notice.

- (a) a certificate purporting to be a certificate given by the Registrar or a Deputy Registrar, under section nineteen or twenty-seven of this Ordinance shall, in all courts, be deemed to have been given by the Registrar or a Deputy Registrar, as the case may be; and
- (b) all courts shall take judicial notice of the signature of the person by whom such a certificate is signed and of the fact that he holds or has held office as the Registrar or a Deputy Registrar, as the case may be.

False statement.

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33. A person shall not wilfully make a false statement in an application or a notice made or given under this Ordinance.

Penalty: One hundred pounds.

Witnessing of application.

34. A person signing an application under this Ordinance shall sign the application in the presence of a witness, who shall subscribe his name in the place provided in the application.

Regulations.

35. The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance.

THE SCHEDULE.

FORM 1.**Section 10.**

Printing and Newspapers Ordinance 1961.

APPLICATION FOR REGISTRATION AS A PRINTER.

To the Registrar of Printers and Newspapers,
Canberra, A.C.T.

I, _____, of _____,

_____ , hereby apply for registration as a printer.

The address (addresses) at which I print or intend to print is (are)—

Dated this _____ day of _____, 19 .

Witness. _____ Signature of Applicant.

FORM 2.**Sections 11 and 12.**

Printing and Newspapers Ordinance 1961.

CERTIFICATE OF REGISTRATION AS A PRINTER.

I, _____, the Registrar of Printers and Newspapers,
hereby certify that—

(a) the name of _____

_____ of _____ has been
entered in the Register of Printers and Newspapers as a registered
printer; and

(b) the said _____ is registered
to print at—

Dated this _____ day of _____, 19 .

Registrar of Printers and Newspapers.

FORM 3.

Section 12.

Printing and Newspapers Ordinance 1961.

APPLICATION FOR REGISTRATION OF NEW ADDRESS.

To the Registrar of Printers and Newspapers,
Canberra, A.C.T.

I, _____, of _____,
being a registered printer who is registered to print at— _____,
hereby apply to have the following new address entered in the Register of
Printers and Newspapers as an address at which I am registered to print:—

Dated this _____ day of _____, 19 ____.

Witness, _____

Signature of Applicant. _____

FORM 4.

Section 21.

Printing and Newspapers Ordinance 1961.

APPLICATION FOR REGISTRATION OF A NEWSPAPER.

To the Registrar of Printers and Newspapers,
Canberra, A.C.T.

I, _____, of _____,
the proprietor of a newspaper named "_____"
hereby apply for registration of that newspaper.

The publisher of the newspaper is (will be)
of _____.

The printer of the newspaper is (will be)
of _____.

The newspaper is (will be) printed at _____.

Dated this _____ day of _____, 19 ____.

Witness, _____ (Proprietor).

Witness, _____ (Publisher).

Witness, _____ (Printer).

FORM 5.

Sections 22 and 23.

Printing and Newspapers Ordinance 1961.

CERTIFICATE OF REGISTRATION OF A NEWSPAPER.

I, _____, the Registrar of Printers
and Newspapers, hereby certify that—

(a) the name of the newspaper "_____"
has been entered in the Register of Printers and Newspapers as a
registered newspaper under the *Printing and Newspapers Ordinance*
1961;

(b) the address at which the newspaper is or is to be printed is
_____;

(c) the proprietor of the newspaper is
_____ of _____;

(d) the printer of the newspaper is
_____ of _____; and

(e) the publisher of the newspaper is
_____ of _____.

Dated this _____ day of _____, 19 ____.

Registrar of Printers and Newspapers. _____

FORM 6.

Section 23.

*Printing and Newspapers Ordinance 1961.*APPLICATION FOR CHANGE IN THE PARTICULARS REGISTERED IN
RELATION TO THE NEWSPAPER “ ”.

To the Registrar of Printers and Newspapers,
Canberra, A.C.T.

I, _____, of _____,
the proprietor of the registered newspaper “ _____ ”,
hereby apply to have—

the name of the newspaper entered in the Register of Printers and Newspapers changed to “ _____ ”.

or

the address entered in the Register of Printers and Newspapers as the address
for the printing of the newspaper changed to _____

or

the name of _____ of _____,
entered as the printer
publisher of the newspaper in the place of the name of
_____ of _____.

Dated this _____ day of _____, 19 ____.

Witness.

Proprietor.

Witness.

Publisher or New Publisher.

Witness.

Printer or New Printer.