

CHAPTER N1 - NEWSPAPERS LAW

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NEWSPAPERS LAW

A Law to make provision for the registration of newspapers and for other purposes in connection therewith.

[NN 1963, Cap. 80, KWS LN 1 of 1982, No. 4 of 2006.]

[Date of commencement: *9th August*, 1917]

1. Short title

This Law may be cited as the Newspapers Law.

2. Interpretation

In this Law—

[KWS LN 1 of 1982.]

"Commissioner" means State Commissioner for Information;

[No. 4 of 2006.]

"newspaper" means any paper containing public news, intelligence of occurrences or any remarks, observations or comments thereon printed for sale and, except for the purposes of sections 10, 11, 12, 15 and 16, for profit, and published in Nigeria periodically, or in parts or numbers, but, except for the purposes of section 15, shall not include any newspaper published by or under the authority of a Government of any part of the Federation;

"State" means the Kwara State of Nigeria.

3. Affidavits of proprietor, printer and publisher

No person shall print or publish or cause to be published any newspaper unless the proprietor, printer and publisher shall each have previously made, signed and sworn before any person authorised to administer oaths and

affirmations and registered in the office of the Commissioner an affidavit containing—

- (a) the correct title or name of the newspaper;
- (b) a true description of the house or building wherein such newspaper is intended to be printed; and
- (c) the real and true names and places of abode of the persons intended to be the proprietor, printer and publisher of the newspaper.

4. Affidavit by company

When a company is the proprietor, printer or publisher of a newspaper the affidavit required by section 3 shall be made, signed and sworn by the secretary or one of the directors of the company.

5. New affidavit when required

Whenever any of the proprietors, printers or publishers named in such affidavit shall be changed or shall change their printing house, place of abode or office, and as often as the title of the newspaper shall be changed, then and in every case the proprietors, printers and publishers shall make, sign, swear and register as aforesaid a new affidavit which shall contain all the several matters and things required by section 3 to be contained in the affidavit in such section mentioned.

6. Penalty for contravening section 3 or knowingly selling such newspaper

Any person who—

- (a) shall print or publish or cause to be printed or published any newspaper in contravention of section 3; or
- (b) shall sell any newspaper which he knows or has reason to believe has been printed or published in contravention of

section 3,

shall be liable to a fine of five thousand naira or imprisonment for a term not exceeding six months.

[No. 4 of 2006.]

7. Copies of affidavit evidence

Every affidavit registered as hereinbefore provided, or copies thereof, certified to be true copies as hereinafter mentioned, shall in all proceedings, civil and criminal, touching any newspaper which is mentioned in any such affidavit, or touching any publication, matter or thing contained in any such newspaper be received and admitted as conclusive evidence of the truth of all such matters set forth in such affidavit as are hereby required to be set forth against every person who shall have signed and sworn such affidavit, and shall also be received and admitted in like manner as sufficient evidence of the truth of all such matters against every person who shall be therein mentioned to be a proprietor, printer or publisher of such newspaper unless the contrary be satisfactorily proved.

Provided that if any person against whom any such affidavit, or any copy thereof, shall be offered in evidence shall prove that he signed, swore and registered with the Commissioner previous to the day or date of publication of the newspaper to which the proceedings shall relate, an affidavit that he had ceased to be the proprietor, printer or publisher of such newspaper, such person shall not be deemed by reason of any former affidavit so registered as aforesaid to be the proprietor, printer or publisher of such news-paper after the day on which such last-mentioned affidavit shall have been registered as aforesaid.

8. When proof of purchase of newspaper unnecessary

After production in evidence of any such affidavit, or a certified copy thereof, against the person who signed and made such affidavit, or is therein named, and after a newspaper has been produced in evidence having the same

title or name as that contained in such affidavit, or copy thereof, and wherein the name of the printer and publisher and the place of printing shall be the same as the name of the printer and publisher and the place of printing mentioned in such affidavit, it shall not be necessary for the informant or prosecutor to prove that the newspaper to which such trial relates was purchased at any house, shop or office belonging to or occupied by the defendant, or by his agent or servant, or where such printer or publisher usually carries on the business of printing and publishing such newspaper, or where the same is usually sold.

9. (1) *Name and address of printer and publisher to be printed on newspaper*.—At the foot of the last page of each copy of every newspaper, and at the foot of the last page of each copy of every supplement, there shall be added and printed the true and real name and place of abode of the printer and publisher and the true and real description of the place of printing of every such newspaper and supplement.

(2) *Penalty*.—Any person who shall print or publish or shall cause to be printed or published any newspaper not containing the particulars aforesaid, shall for every such publication be liable to a fine of two thousand naira or imprisonment for a term not exceeding three months, and any person who shall sell any newspaper not containing the particulars aforesaid knowing or having reason to believe that such newspaper has been printed in Nigeria shall for each such sale be liable to a fine of one thousand naira or imprisonment for a term not exceeding one month.

[No. 4 of 2006.]

10. Delivery of signed copies

(1) The printer and publisher of every newspaper shall, upon every day upon which such newspaper shall be published deliver or send by registered post to the Commissioner a copy of every newspaper so published, and of every supplement thereto signed by the printer and publisher thereof.

(2) When the printer or publisher is a company the copy referred to in subsection (1) shall be signed by a director or the secretary of the company.

(3) Any person who fails to comply with any of the provisions of this section shall be guilty of an offence and liable on conviction to a fine of five thousand naira or imprisonment for a term not exceeding six months.

[No. 4 of 2006.]

11. Editor to sign copies

(1) No person shall print or publish or cause to be published any edition of any newspaper or any supplement thereto without—

- (a) appointing some person as editor in charge of such edition; and
- (b) printing in each copy of such newspaper or supplement thereto the true and real name and place of residence of such editor in charge.

(2) The person appointed the editor in charge in accordance with subsection (1) shall sign a copy of every edition of the newspaper and any supplement thereto of which he is editor in charge on the day upon which such edition shall be published and shall deliver or send by registered post such copy to the Commissioner.

(3) Any person who fails to comply with any of the provisions of this section shall be guilty of an offence and liable on conviction to a fine of five thousand naira or imprisonment for a term not exceeding six months.

[No. 4 of 2006.]

12. Non-delivery after notice

(1) Notwithstanding any failure to deliver or send any newspaper or supplement thereto in accordance with the provisions of section 10 or section 11, and notwithstanding any proceedings taken against any printer or

publisher or editor in charge by reason of such failure the Commissioner may by notice under his hand addressed to the printer or publisher or editor require him to deliver or send to him a copy signed in accordance with the provisions of section 10 or section 11, as the case may be, of every newspaper or supplement thereto which such person shall have failed to deliver or send, or which has not arrived at the office of the Commissioner.

(2) If any person liable to deliver or send a copy of a newspaper or a supplement thereto in accordance with subsection (1) shall fail forthwith to deliver or send the copy as he may in the notice referred to in subsection (1) have been required to deliver or send, he shall be guilty of an offence and liable on conviction to a fine of five thousand naira.

[No. 4 of 2006.]

13. Certified copies of affidavit as evidence

Certified copies of every affidavit under this Law shall be received in evidence in all courts as sufficient proof of the making, signing, swearing and registration of such affidavit.

14. Commissioner to deliver certified copies

The Commissioner upon application shall deliver to any person who may require it a copy certified under his hand of any such affidavit registered under the provisions of this Law.

15. Service of process

Service of any process or notice under this Law upon any proprietor, printer or publisher of a newspaper shall be good, valid and effectual if it is delivered to any person at the house or building wherein such newspaper is printed, or, if there is no person in such house or building, if it is fixed to the door of such house or building.

16. Conditions to be observed by Nigerian newspapers printed outside the State

(1) Every proprietor and every publisher of a newspaper printed or published as the case may be in Nigeria elsewhere than in Kwara State but circulating in Kwara State shall within two months of such first circulation establish an office for such newspaper in Kwara State and give notice in writing of the fact to the Commissioner.

(2) Notwithstanding the provisions of any rule of court or other written law, any process or notice required to be served upon the proprietor, publisher, or editor of such newspaper shall be sufficiently served if addressed to the proprietor, publisher or editor and left at or sent by registered post to the address of the registered office of the newspaper.

(3) If within the period mentioned in subsection (1) a proprietor or publisher fails to register he shall be guilty of an offence and shall be liable on conviction to a fine of two thousand naira or three months imprisonment.

[No. 4 of 2006.]

17. Power to make regulations

The Governor may make regulations—

- (a) prescribing the fees to be paid on the registration of affidavits and for certified copies of affidavits registered under this Law; and

[KWS LN 1 of 1982.]

- (b) generally to give effect to the purposes of this Law.

CHAPTER N1

NEWSPAPERS LAW

SUBSIDIARY LEGISLATION

No Subsidiary Legislation

