



ST. HELENA

## CHAPTER 27

# OBSCENE PUBLICATIONS ORDINANCE

### Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown [Telephone (+290) 2270; Fax (+290) 2454; email [pa.lawofficers@legalandlands.gov.sh](mailto:pa.lawofficers@legalandlands.gov.sh)]<sup>1</sup>

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

This version contains a consolidation of the following laws—

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Ordinance 2 of 1930 .. in force 26 March 1930

Amended by Ord. 7 of 2003

No Subsidiary Legislation has been made under this Ordinance

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<sup>1</sup> These contact details may change during 2011 or early in 2012. In case of difficulty, email [shgwebsite@sainthelena.gov.sh](mailto:shgwebsite@sainthelena.gov.sh) or telephone (+290) 2470.

## CHAPTER 27

## OBSCENE PUBLICATIONS ORDINANCE

*(Ordinances 2 of 1930 and 7 of 2003)*

AN ORDINANCE RELATING TO OBSCENE PUBLICATIONS.

**Commencement***[26 March 1930]***Short title**

1. This Ordinance may be cited as the Obscene Publications Ordinance.

**Offences relating to obscene publications**

2.<sup>2</sup> It shall be an offence against this Ordinance punishable on summary conviction with a fine not exceeding £50 or imprisonment for any period not exceeding six months, or with both such fine and imprisonment, to do any of the following acts—

- (a) for purposes of or by way of trade or for distribution or public exhibition to make or produce or have in possession obscene writings, drawings, prints, paintings, printed matter, pictures, posters, emblems, photographs, cinematograph films or any other obscene objects;
- (b) for the purposes above mentioned to import, convey or export or cause to be imported, conveyed or exported any of the said obscene matters or things or in any manner whatsoever to put them into circulation;
- (c) to carry on or take part in a business, whether public or private, concerned with any of the said obscene matters or things, or to deal in the said matters or things in any manner whatsoever, or to distribute them or to exhibit them publicly or to make a business of lending them;
- (d) to advertise or make known by any means whatsoever, in view of assisting in the said punishable circulation or traffic, that a person is engaged in any of the above punishable acts, or to advertise or to make known how or from whom the said obscene matters or things can be procured either directly or indirectly.

**Abetment of offences**

3. (1) Any person who abets the commission of an offence of against this Ordinance shall be deemed to be guilty of the same offence.

(2) Any person who in St. Helena aids, abets, counsels or procures the commission in any place outside St. Helena of any offence punishable under the provisions of any corresponding law in force in that place, or does any act preparatory to or in furtherance of any act which if committed in St. Helena would constitute an offence against this Ordinance, shall be deemed to have committed an offence against this Ordinance and shall be punishable accordingly.

(3) The expression “**corresponding law**” in this Ordinance means any law stated in a certificate purporting to be issued by or on behalf of the Government of any country outside

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<sup>2</sup> Section 2 amended by Ord. 7 of 2003

St. Helena to be a law providing for the suppression of the circulation of and traffic in obscene publications in accordance with the provisions of the International Convention for that purpose signed at Geneva on the twelfth day of September 1923, and any statement in any such certificate as to the effect of the law mentioned in the certificate, or any statement in any such certificate that any facts constitute an offence against that law, shall be conclusive.

### **Prosecution**

**4.** Nothing in this Ordinance shall prevent a prosecution under any other law of St. Helena but a person shall not be punished more than once for the same offence.

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