

## CHAPTER 63.

## SEDITIONOUS OFFENCES.

AN ORDINANCE TO MAKE PROVISION FOR PENALTIES FOR  
SEDITIONOUS OFFENCES.

12 of 1938.  
3 of 1939.  
14 of 1949.

[4th June, 1938.]

1. This Ordinance may be cited as the Seditious Offences Ordinance. Short title.

2. "Publication" includes all written or printed matter and everything, whether of a nature similar to written or printed matter or not, containing any visible representation, or by its form, or shape, or in any manner capable of suggesting words or ideas, and every copy and reproduction of any publication. Definitions.

"Seditious publication" means a publication having a seditious intention.

"Seditious words" means words having a seditious intention.

"Import" includes—

- (a) to bring into the Colony, and
- (b) to bring within the inland waters of the Colony whether or not the publication is brought ashore, and whether or not there is an intention to bring the same ashore.

3. (1) A "seditious intention" is an intention—

Seditious  
intention.

- (i) to bring into hatred or contempt or to excite disaffection against the person of His Majesty, his heirs or successors, or the Government of the Colony as by law established; or
- (ii) to excite His Majesty's subjects or inhabitants of the Colony to attempt to procure the alteration, otherwise than by lawful means, of any matter in the Colony as by law established; or

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]

- (iii) to bring into hatred or contempt or to excite disaffection against administration of justice in the Colony ; or
- (iv) to raise discontent or disaffection amongst His Majesty's subjects or inhabitants of the Colony ; or
- (v) to promote feelings of ill-will and hostility between different classes of the population of the Colony.

3 of 1939.

But an act, speech or publication is not seditious by reason only that it intends—

- (a) to show that His Majesty has been misled or mistaken in any of his measures ; or
- (b) to point out errors or defects in the government or constitution of the Colony as by law established or in legislation or in the administration of justice with a view to the remedying of such errors or defects ; or
- (c) to persuade His Majesty's subjects or inhabitants of the Colony to attempt to procure by lawful means the alteration of any matter in the Colony as by law established ; or
- (d) to point out, with a view to their removal, any matters which are producing or have a tendency to produce feelings of ill-will and enmity between different classes of the population of the Colony.

(2) In determining whether the intention with which any act was done, any words were spoken, or any document was published, was or was not seditious, every person shall be deemed to intend the consequences which would naturally follow from his conduct at the time and under the circumstances in which he so conducted himself.

Offences.

4. (1) Any person who—

- (a) does or attempts to do, or makes any preparation to do, or conspires with any person to do, any act with a seditious intention ;
- (b) utters any seditious words ;
- (c) prints, publishes, sells, offers for sale, distributes or reproduces any seditious publication ;
- (d) imports any seditious publication, unless he has no reason to believe that it is seditious

shall be guilty of an offence and liable for a first offence to imprisonment for two years or to a fine not exceeding £100 or to both such imprisonment and fine, and for a subsequent offence to imprisonment for three years; and any seditious publication shall be forfeited to His Majesty.

(2) Any person who without lawful excuse has in his possession any seditious publication shall be guilty of an offence and liable for a first offence to imprisonment for one year or to a fine not exceeding £50 or to both such imprisonment and fine and for a subsequent offence to imprisonment for two years; and such publication shall be forfeited to His Majesty.

5. (1) No prosecution for an offence under section 4 shall be begun except within six months after the offence is committed. Legal proceedings.

(2) A person shall not be prosecuted for an offence under section 4 without the written consent of the officer acting as legal adviser to the Governor. 14 of 1949.

6. No person shall be convicted of an offence under section 4 on the uncorroborated testimony of one witness. Evidence.