



Isle of Man

Ellan Vannin

AT 1 of 1846

NEWSPAPERS ACT 1846



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**Isle of Man***Ellan Vannin***NEWSPAPERS ACT 1846¹**

Received Royal Assent: 26 September 1846
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AN ACT for preventing the Mischief arising from the Printing and Publishing Newspapers and other Papers by Persons not known, and for regulating the Printing and Publication of such Papers in other Respects.

GENERAL NOTES

1. The maximum fines in this Act are as increased by the *Fines Act 1986* and by the *Criminal Justice (Penalties, Etc.) Act 1993* s 1.
2. References to the Rolls Office are to be construed in accordance with the *General Registry Act 1965*.

1 Declaration by printer etc of newspaper

That from and after the expiration of fourteen days next following the promulgation of this Act, no person shall print or publish, or cause to be printed or published, any newspaper or other paper containing public news or intelligence, or serving the purpose of a newspaper, until a declaration shall have been made, signed, and deposited as hereinafter mentioned, and containing the several matters and things hereinafter for that purpose specified and mentioned.

2 Contents of declaration

And be it enacted, that such declaration shall be in writing, and shall specify and set forth the real and true names, additions, descriptions, and places of abode of all persons who are, or are intended to be, printers or publishers of the newspaper or other paper mentioned in such declaration, and of all the proprietors of the same, with their additions, descriptions, and places of abode, and the true description of the house or building wherein any such paper is intended to be printed, and likewise the title of such paper; and every such declaration shall be signed by the person making the same, and shall be signed,

made, and taken before a Deemster, Justice of the Peace, or High-Bailiff; and that for every such declaration there shall be payable a fee of 5p.²

3 Renewal of declaration

And be it enacted, that a declaration of the like import shall be made, signed, and deposited, in like manner, as often as any of the printers, publishers, or proprietors named in such declaration shall be changed or shall change their respective places of abode, or their printing-house, place or office, and as often as the title of the paper shall be changed, and as often as the Chief Registrar shall see reasonable cause for requiring such declaration to be made, and shall give notice that he does require the same, such notice to be left at such place as is mentioned in the declaration last made as the place at which the newspaper or other paper to which such notice shall relate is printed.³

4 Declaration to be made by all printers etc

And be it enacted, that the declaration hereby required shall be made and signed by the printers and publishers of any newspaper or other such paper as aforesaid, and also by the proprietors thereof, in case such proprietors shall not exceed the number of three persons; and when the number of such proprietors shall exceed three, then the said declaration shall be made and signed by three of such proprietors, but the same shall contain the real and true names, descriptions, and places of abode of all persons who are or are intended to be proprietors of such newspaper or other such paper as aforesaid, and the person so signing and making any such declaration in the last mentioned case, shall, and are hereby required to give notice, within seven days after such declaration shall have been made, to each of the persons not signing and making such declaration [but]⁴ named therein, as a proprietor of such newspaper or other paper as aforesaid, that he is named therein; and in case of neglect to give such notice, each and every person who has so signed and made such declaration shall forfeit the sum of £500.

5 Printing or publishing newspaper without declaration

And be it enacted, that if any person shall knowingly and wilfully print or publish, or cause to be printed or published, or shall knowingly and wilfully, either as a proprietor thereof or otherwise, sell, vend, or deliver out any newspaper or other such paper as aforesaid, such declaration containing such matters and things as are required by this Act to be therein contained not having been duly signed and made, and as often as by this Act is required, or any other matter or thing required by this Act to be done or performed according to this Act not having been done or performed, such person shall forfeit and pay for every such act done the sum of £500.

6 Filing and evidence of declaration

And be it enacted, that any declaration made in pursuance of this Act, shall forthwith, by the persons making the same, or one of them, be deposited in the Rolls Office; and the same, or office copies thereof, shall, respectively, in all proceedings, civil and criminal, touching any newspaper or other such paper aforesaid, which shall be mentioned in any such declaration, or touching any publication, matter, or thing contained in any such newspaper or other paper, be received and admitted as conclusive evidence of the truth of all such matters set forth in such declaration as are hereby required to be therein set forth, against every person who shall have signed and made such declaration, 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 not have signed and made the same, but who shall be therein mentioned to be a proprietor of such newspaper or other paper, unless the contrary shall be satisfactorily proved. Provided always, that if any such person against whom any such declaration, or any copy thereof, shall be offered in evidence, shall prove that he hath signed and made and deposited, or caused to be deposited, in the Rolls Office, previous to the day of the date or publication of the newspaper, or other such paper as aforesaid, to which the proceedings, civil or criminal, shall relate, a declaration that he hath ceased to be the printer, publisher, or proprietor of such newspaper or other such paper as aforesaid, such person shall not be deemed, by reason of any former declaration so made and lodged in the Rolls Office as aforesaid, to have been the printer, publisher, or proprietor of such paper after the day on which such last mentioned declaration shall have been lodged in the Rolls Office as aforesaid.

7 Newspaper to contain names and addresses of printers and publishers

And be it enacted, that in some part of every newspaper or other such paper as aforesaid, there shall be printed the true and real names, additions, and places of abode of the printers and publishers of the same, and also a true description of the place where the same is printed; and in case any person shall knowingly and wilfully print or publish, or cause to be printed or published, any such newspaper or other paper as aforesaid, not containing the particulars aforesaid, and every of them, every such person shall forfeit and pay the sum of £500; and that proof made in manner herein mentioned, in any proceeding to recover the same, that the party proceeded against is a printer or publisher of a newspaper, or other such paper so printed or published as aforesaid, shall be deemed and taken to be proof that such party is a person wilfully and knowingly printing or publishing, or causing the same to be printed or published, unless he shall satisfactorily prove the contrary thereof.

8 No requirement to prove purchase

And be it enacted, that it shall not be necessary, after any such declaration, or an office copy thereof, shall have been produced in evidence as aforesaid, against

the persons who signed and made such declaration, or are therein named according to this Act, or any of them, and after a newspaper or other such paper as aforesaid, shall be produced in evidence, intituled in the same manner as the newspaper or other paper mentioned in such declaration or copy is intituled, and wherein the names of the printers and publishers and the place of printing shall be the same as the names of the printers and publishers and the place of printing mentioned in such declaration, for the plaintiff, informant, or prosecutor, or person seeking to recover any of the penalties given by this Act, to prove that the newspaper or paper to which such trial relates, was purchased at any house, shop, or office belonging to or occupied by the defendant, or by his servants, or workmen, or where he by himself, or his servants or workmen, usually carries on the business of printing and publishing such paper, or where the same is usually sold.

9 Service of proceedings

And be it enacted, that service, at the house or place mentioned in such declaration as aforesaid, as the house or place at which such newspaper, or other such paper as aforesaid, to which any proceedings, civil or criminal, shall relate, is printed or published, or intended so to be, of any legal notice, summons, rule, order, or process of what nature soever, or to enforce an appearance in any suit, prosecution, or proceedings, civil or criminal, against any printer, publisher, or proprietor of any such newspaper or other paper, shall be deemed and taken to be good and sufficient service thereof respectively against all persons named in such declaration as the proprietors, publishers, or printers of the newspaper or other paper mentioned in such declaration.

10 False or incomplete declaration

And be it enacted, that if any person, under the provisions of this Act, shall wilfully make any false declaration, or, in making such declaration, shall knowingly or wilfully insert, or set forth therein, the name, addition, or place of abode of any person as a proprietor, printer, or publisher of any newspaper or other such paper as aforesaid, to which such declaration relates, who is not a proprietor, printer, or publisher thereof, or shall knowingly and wilfully omit to mention in such declaration the name addition, or place of abode of any proprietor, printer, or publisher thereof, contrary to the true meaning of this Act, or shall knowingly and wilfully in any other matter or respect set forth in such declaration any matter or thing, by this Act required to be set forth, otherwise than according to the truth, or shall knowingly or wilfully omit to set forth therein, according to the truth, any matter or thing required by this Act to be therein set forth, every person so offending shall be held to be guilty of a misdemeanour, and shall suffer the pains and penalties to which persons are liable for wilful and corrupt perjury.

11 Printed book or paper to contain printer's name and address

And whereas it is advisable that provision should be made with respect to the printing and publishing of books and other papers not being newspapers, or papers of that nature. Be it, therefore, enacted that, from and after the expiration of fourteen days after the promulgation of this Act, every person who shall print any paper or book whatsoever, which shall be meant or intended to be published or dispersed, whether the same shall be sold or given away, shall print upon the front of every such paper, if the same shall be printed on one side only, and upon the first and last leaves of every paper or book which shall consist of more than one leaf, in legible characters, his name and the name of the Town or Parish, and also the name (if any) of the square, street, lane, court, or place in which his dwelling-house or usual place of abode shall be; and every person who shall omit so to print his name and place of abode on every such paper or book printed by him, and also every person who shall publish or disperse, or assist in publishing or dispersing, either gratis or for money, any printed paper or book which shall have been printed after the expiration of fourteen days from and after the promulgation of this Act, and on which the name and place of abode of the person printing the same shall not be printed as aforesaid, shall, for every copy of such paper or book so published or dispersed by him, forfeit and pay the sum of £500.

12 Exemption for Tynwald papers

And be it enacted, that nothing in this Act contained shall extend, or be construed to extend, to any papers printed by the authority of Tynwald, or of either branch thereof.

13 Printers to keep and produce copies of all prints

And be it enacted, that every person who, from and after the expiration of fourteen days after the promulgation of this Act, shall print any paper for hire, reward, gain, or profit, shall carefully preserve and keep one copy (at least) of every paper so printed by him, on which he shall write, or cause to be written or printed, in fair and legible characters, the name and place of abode of the person by whom he shall be employed to print the same; and every person printing any paper for hire, reward, gain, or profit, who shall omit or neglect to write, or cause to be written or printed as aforesaid, the name and place of abode of his employer on one of such printed papers, or to keep or preserve the same for the space of six calendar months next after the printing thereof, or to produce and show the same to any Justice of the Peace or High-Bailiff who within the said space of six calendar months shall require to see the same, shall, for every such omission, neglect, or refusal, forfeit and pay the sum of £200.

14 [Repealed]⁵**15 Exemption for engravings, business stationery and sale particulars**

Provided always, and be it enacted, that nothing herein contained shall extend to the impression of any engraving, or to the printing by letter-press of the name, or the name and address, or business or profession of any person, and the articles in which he deals, or to any papers for the sale of estates or goods by auction, or otherwise.

16 Penalties

In any case where, by virtue of a provision of this Act, a person is liable to forfeit any sum, that person shall be guilty of an offence and liable on summary conviction to a fine of an amount equal to that sum; and no penalty or forfeiture under this Act shall be recoverable otherwise than under this section.⁶

17 [Repealed]⁷**18 Interpretation**

And be it enacted, that, in the construction of this Act, every word importing the singular number only, shall extend and be applied to several persons, matters, and things, as well as one person, matter or thing; and every word importing the plural number, shall extend and be applied to one person, matter, or thing, as well as several persons, matters, or things; and any word importing the masculine gender only, shall extend and be applied to a female as well as a male, unless there be something in the subject or context repugnant to such construction.

ENDNOTES**Table of Endnote References**

¹ Short title given by Short Titles Act 1977 Sch.

² S 2 amended by Decimal Currency (Isle of Man) Act 1970 s 9.

³ S 3 amended by High Court Act 1991 Sch 3.

⁴ Printed as “last” in original.

⁵ S 14 repealed by Police Powers and Procedures Act 1998 Sch 5.

⁶ S 16 substituted by Statute Law Revision Act 1992 Sch 1.

⁷ S 17 repealed by Statute Law Revision Act 1992 Sch 2.