

CHAPTER 29.**SEDITION.****ARRANGEMENT OF SECTIONS.****SECTION.**

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CHAPTER 29.**SEDITION.**

An Ordinance to provide for the Punishment of Seditious Acts and Seditious Libels. 7 of 1939.

[15TH JUNE, 1939.]

1. This Ordinance may be cited as the Sedition Ordinance, and shall apply to the Colony and Protectorate. Short title.

2. In this Ordinance—

Interpreta-
tion.

“ 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, shape, or in any manner capable of suggesting words or ideas, and every copy and reproduction of any publication;

“ periodical publication ” includes every publication issued periodically or in parts or numbers at intervals whether regular or irregular;

“ 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;

“ Colony ” includes the Protectorate.

Seditious
intention.

3. (1) A “ seditious intention ” is an intention—

(i) to bring into hatred or contempt or to excite disaffection against the person of Her Majesty, Her Heirs or successors, or the Government of the Colony as by law established; or

(ii) to excite Her Majesty’s subjects or inhabitants of the Colony to attempt to procure the alteration, otherwise than by lawful means, of any other matter in the Colony as by law established; or

(iii) to bring into hatred or contempt or to excite disaffection against the administration of justice in the Colony; or

(iv) to raise discontent or disaffection amongst Her 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.

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

(a) to show that Her Majesty has been misled or mistaken in any of her 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 Her 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.

4. (1) Any person who—

Offences.

(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 a term not exceeding two years, without hard labour, or to a fine not exceeding £100 or to both such imprisonment and fine, and for a subsequent offence to imprisonment for a term not exceeding seven years, with or without hard labour; and any seditious publication shall be forfeited to Her 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 a term not exceeding one year, with or without hard labour, or to a fine not exceeding £50 or to both such imprisonment and fine and for a subsequent offence to imprisonment for a term not exceeding three years, with or without hard labour; and any such publication shall be forfeited to Her 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 Attorney General.

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

Evidence.