



Newspaper Libel and Registration Act 1881

1881 CHAPTER 60 44 and 45 Vict

An Act to amend the Law of Newspaper Libel, and to provide for the Registration of Newspaper Proprietors. [27th August 1881]

Modifications etc. (not altering text)

- C1 Functions of Board of Trade now exercisable concurrently by Secretary of State: [S.I. 1970/1537, art. 2](#)
- C2 Preamble omitted under authority of [Statute Law Revision Act 1894 \(c. 56\)](#)
- C3 This Act is not necessarily in the form in which it has effect in Northern Ireland
- C4 Act modified (E.W.) (3.1.1995) by [1994 c. 40, ss. 76, 82\(2\), Sch. 16 para. 1\(2\)](#)

1 Interpretation.

In the construction of this Act, unless there is anything in the subject or context repugnant thereto, the several words and phrases herein-after mentioned shall have and include the meanings following: (that is to say,)

[^{F1}The word “registrar” means—

- (a) in England and Wales, the registrar of companies for England and Wales, and
- (b) in Northern Ireland, the registrar of companies for Northern Ireland.]

^{F2}

The word “newspaper” shall mean any paper containing public news, intelligence, or occurrences, or any remarks or observations therein printed for sale, and published in England or Ireland periodically, or in parts or numbers at intervals not exceeding twenty-six days between the publication of any two such papers, parts, or numbers.

Also any paper printed in order to be dispersed, and made public weekly or oftener, or at intervals not exceeding twenty-six days, containing only or principally advertisements.

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The word “occupation” when applied to any person shall mean his trade or following, and if none, then his rank or usual title, as esquire, gentleman.

The phrase “place of residence” shall include the street, square or place where the person to whom it refers shall reside, and the number (if any) or other designation of the house in which he shall so reside.

The word “proprietor” shall mean and include as well the sole proprietor of any newspaper, as also in the case of a divided proprietorship the persons who, as partners or otherwise, represent and are responsible for any share or interest in the newspaper as between themselves and the persons in like manner representing or responsible for the other shares or interests therein, and no other person.

Textual Amendments

- F1** Words in s. 1 substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 1(2)(a)** (with art. 10)
- F2** Words in s. 1 omitted (1.10.2009) by virtue of [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 1(2)(b)** (with art. 10)

Modifications etc. (not altering text)

- C5** References to Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2

2 F3

Textual Amendments

- F3** S. 2 repealed by [Law of Libel Amendment Act 1888 \(c. 64\)](#), s. 2

3 F4

Textual Amendments

- F4** S. 3 repealed by [Law of Libel Amendment Act 1888 \(c. 64\)](#), s. 8

4 Inquiry by court of summary jurisdiction as to libel being for public benefit or being true.

A court of summary jurisdiction, upon the hearing of a charge against a proprietor, publisher, or editor, or any person responsible for the publication of a newspaper, for a libel published therein, may receive evidence as to the publication being for the public benefit, and as to the matters charged in the libel being true, and as to the report being fair and accurate, and published without malice, and as to any matter which under this or any other Act, or otherwise, might be given in evidence by way of defence by the person charged on his trial on indictment, and the court, if of opinion after hearing

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such evidence that there is a strong or probable presumption that the jury on the trial would acquit the person charged, may dismiss the case.

5 F5

Textual Amendments

F5 S. 5 repealed by [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 13](#)

6 F6

Textual Amendments

F6 S. 6 repealed by [Administration of Justice \(Miscellaneous Provisions\) Act 1933 \(c. 36\)](#), [Sch. 3](#)

7 Board of Trade may authorise registration of the names of only a portion of the proprietors of a newspaper.

Where, in the opinion of the Board of Trade, inconvenience would arise or be caused in any case from the registry of the names of all the proprietors of the newspaper (either owing to minority, coverture, absence from the United Kingdom, minute sub-division of shares, or other special circumstances), it shall be lawful for the Board of Trade to authorise the registration of such newspaper in the name or names of some one or more responsible “representative proprietors”.

8 Register of newspaper proprietors to be established.

A register of the proprietors of newspapers as defined by this Act shall be established under the superintendence of the registrar.

9 Annual returns to be made.

It shall be the duty of the printers and publishers for the time being of every newspaper to make or cause to be made [F7 to the registrar] in the month of July in every year, a return of the following particulars according to the Schedule A. hereunto annexed; that is to say,

- (a) The title of a newspaper:
- (b) The names of all the proprietors of such newspaper together with their respective occupations, places of business (if any), and places of residence.

Textual Amendments

F7 Words in s. 9 substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), [Sch. 1 para. 1\(3\)](#) (with art. 10)

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10 Penalty for omission to make annual returns.

If within the further period of one month after the time herein-before appointed for the making of any return as to any newspaper such return be not made, then each printer and publisher of such newspaper shall, on conviction thereof, be liable to a penalty not exceeding [^{F8}level 2 on the standard scale], and also to be directed by a summary order to make a return within a specified time.

Textual Amendments

F8 Words substituted (E.W.) by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

11 Power to party to make return.

Any party to a transfer or transmission of or dealing with any share of or interest in any newspaper whereby any person ceases to be a proprietor or any new proprietor is introduced may at any time make or cause to be made [^{F9}to the registrar] a return according to the Schedule B. hereunto annexed and containing the particulars therein set forth.

Textual Amendments

F9 Words in s. 11 substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 1(3)** (with art. 10)

12 Penalty for wilful mis-representation in or omission from return.

If any person shall knowingly and wilfully make or cause to be made any return by this Act required or permitted to be made in which shall be inserted or set forth the name of any person as a proprietor of a newspaper who shall not be a proprietor thereof, or in which there shall be any misrepresentation, or from which there shall be any omission in respect of any of the particulars by this Act required to be contained therein whereby such return shall be misleading, or if any proprietor of a newspaper shall knowingly and wilfully permit any such return to be made which shall be misleading as to any of the particulars with reference to his own name, occupation, place of business (if any), or place of residence, then and in every such case every such offender being convicted thereof shall be liable to a penalty not exceeding [^{F10}level 3 on the standard scale].

Textual Amendments

F10 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. 38, 46

[^{F11}13 Registrar to enter returns in register.

- (1) It is the duty of the registrar forthwith to register every return made under this Act in the register of newspaper proprietors.
- (2) Any person may—
 - (a) inspect the register, or

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- (b) require a copy of any material on the register.
- (3) The registrar may specify the form and manner—
 - (a) in which application is to be made for any such inspection or copy, and
 - (b) in which copies are to be provided.
- (4) The applicant may require any copy so provided to be certified by the registrar as a true copy.
- (5) The Secretary of State may make provision by regulations (to be made by statutory instrument) as to the manner in which such a certificate is to be provided in a case where the copy is provided in electronic form.
- (6) Copies provided by the registrar may, instead of being certified in writing to be an accurate record, be sealed with the registrar’s official seal.]

Textual Amendments

F11 S. 13 substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 1(4)** (with art. 10)

^{F12}14 Fees payable for registrar’s services.

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Textual Amendments

F12 S. 14 omitted (1.10.2009) by virtue of [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 1(5)** (with art. 10)

^{F13}15 Certified copy of material on register to be admissible in evidence

A copy provided under section 13, certified by the registrar (whose official position it is unnecessary to prove) to be an accurate record of the contents of the original document, is in all legal proceedings admissible in evidence—

- (a) as of equal validity with the original document, and
- (b) as evidence of any fact stated in the original document of which direct oral evidence would be admissible.]

Textual Amendments

F13 S. 15 substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 1(6)** (with art. 10)

16 Recovery of penalties and enforcement of orders.

All penalties under this Act may be recovered before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

Summary orders under this Act may be made by a court of summary jurisdiction, . . . ^{F14}

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Textual Amendments

F14 Words repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

17 ^{F15}

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Textual Amendments

F15 [S. 17](#) repealed by [Statute Law Revision Act 1894 \(c. 56\)](#)

18 Provisions as to registration of newspaper proprietors not to apply to newspaper belonging to joint stock company.

The provisions as to the registration of newspaper proprietors contained in this Act shall not apply to the case of any newspaper which belongs to a [^{F16}company formed and registered under the Companies Act 2006 or incorporated in another EEA state].

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Textual Amendments

F16 Words in [s. 18](#) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 1(7)** (with art. 10)

19 Act not to extend to Scotland.

This Act shall not extend to Scotland.

20 Short title.

This Act may for all purposes be cited as the Newspaper Libel and Registration Act 1881.

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THE SCHEDULES TO WHICH THIS ACT REFERS

SCHEDULE A

Section 9.

RETURN MADE PURSUANT TO THE NEWSPAPER LIBEL AND REGISTRATION ACT 1881

| Title of the Newspaper | Names of the Proprietors | Occupations of the Proprietors | Places of business (if any) of the Proprietors | Places of Residence of the Proprietors |
|-------------------------------|---------------------------------|---------------------------------------|---|---|
|-------------------------------|---------------------------------|---------------------------------------|---|---|

SCHEDULE B

Section 11.

RETURN MADE PURSUANT TO THE NEWSPAPER LIBEL AND REGISTRATION ACT 1881

| Title of Newspaper | Names of Persons who cease to be Proprietors | Names of Persons who become Proprietors | Occupation of new Proprietors | Places of business (if any) of new Proprietors | Places of Residence of new Proprietors |
|---------------------------|---|--|--------------------------------------|---|---|
|---------------------------|---|--|--------------------------------------|---|---|

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