

CHAPTER 187

TELEGRAM COPYRIGHT

Ordinances AN ORDINANCE TO SECURE, IN CERTAIN CASES, THE RIGHT OF PROPERTY IN TELEGRAPHIC PRESS MESSAGES. Nos. 19 of 1898. 1 of 1926.

[14th December, 1898.]

Short title. 1. This Ordinance may be cited as the Telegram Copyright Ordinance.

Press messages not to be published during forty-eight hours after receipt without consent of the receiver. 2. When any person, in the manner hereinafter mentioned, publishes in any newspaper or other printed paper published and circulated in Sri Lanka any message by telegraph from any place outside Sri Lanka, lawfully received by such person, no other person shall, without the consent in writing of such first-mentioned person, or his agent thereto lawfully authorized, print or publish, or cause to be printed or published such telegram, or the substance thereof, or any extract therefrom, until after a period of forty-eight hours from the time of first publication:

Provided that such period shall not extend beyond sixty hours from the time of the receipt of such message (public and bank holidays excepted), and the publication of the whole or any part of such telegram, or of the substance thereof, or (excepting the publication of any similar message in like manner sent) of the intelligence therein contained, or any comment upon, or any reference to, such intelligence, shall be deemed to be a publication of the same.

Unlawful publishing an offence. 3. If any person wilfully print and publish, or cause to be printed and published, any matter contrary to the provisions of this Ordinance, he shall be liable to a fine not exceeding one hundred rupees ; and every person who is convicted a second time of any offence against this Ordinance shall be liable to a fine not exceeding three hundred rupees.

Protected messages how to be printed. 4. Telegraphic messages published under the protection of this Ordinance shall be printed under the heading "Telegram Copyright Ordinance ", and shall state the day and hour of their receipt, and such statement shall be prima facie evidence of the time of the receipt of such messages.

5. (1) During the period of forty-eight hours hereinbefore mentioned, no intelligence protected by this Ordinance shall be transmitted by telegraph to any person outside Sri Lanka by or on behalf of any person other than the person who, under the provisions of this Ordinance, is entitled to the exclusive use of such intelligence.

During forty-eight hours protected intelligence not to be transmitted to any person outside Sri Lanka.

(2) Any person acting in contravention of this section shall be guilty of an offence, and liable on conviction to a fine not exceeding one hundred rupees for a first offence, and to a fine not exceeding three hundred rupees for any subsequent offence.

Penalty.

6. In any prosecution under this Ordinance the production of any document which purports to be a telegraphic message from some place outside Sri Lanka, and which contains the intelligence published in the newspapers as aforesaid, and which has been delivered to some person entitled to receive the same by the proper officer of the Department of Telecommunications, shall be prima facie evidence that the message published as hereinbefore described in such newspaper is a message within the meaning of this Ordinance; and proof that any person is owner, or is, or is acting, or appears to be acting, as editor or manager of any newspaper in which there has been any publication contrary to the provisions of this Ordinance shall be prima facie evidence that such person has wilfully caused such unlawful publication.

What to be deemed prima facie evidence of publication of message.

7. Nothing in this Ordinance- shall extend to any document published by the Government Printer, or to the report of any proceedings in Parliament.

Limitation of Ordinance.

8. In this Ordinance, unless the context otherwise requires, the expression " telegraph " includes telephone and wireless telegraph or telephone, and " telegraphic " has a corresponding meaning.

Interpretation.