

Government Gazette 14705

STATE PRESIDENT'S OFFICE

No. 565.  
16 April 1993

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:-

No. 43 of 1993: Imprint Act, 1993

GENERAL EXPLANATORY NOTE:

Words in bold type indicate omissions from existing enactments.

Words in italics indicate insertions in existing enactments.

ACT

To regulate certain matters in connection with printed matter; to amend the Newspaper and Imprint Registration Act, 1971, so as to repeal the provisions thereof relating to printed matter and the application of the Act to Namibia; and to provide for matters connected therewith.

(English text signed by the State President.)  
{Assented to 25 March 1993.}

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:-

Definitions

1. In this Act, unless the context otherwise indicates-

"Minister" means the Minister of Home Affairs "prescribe" means prescribe by regulation;

"printed matter" means any picture or any mark conveying any meaning which has been affixed on any material, or has been produced by impressing or transferring other material thereon;

"printer" means any person carrying on or managing a business which produces printed matter.

Notification of name of printer and address of his business on certain printed matter

2. (1) Subject to subsection (2) any printer of printed matter, other than a newspaper as defined in section 1 of the Newspaper Registration Act, 1971 (Act No. 63 of 1971), shall affix on all such printed matter produced and distributed in the Republic, a notice in legible type and in either of the official languages of the Republic, containing the words "Printed by...", followed by his full and correct name and the full and correct address at which he conducts his business of printing or an abbreviation of his name registered in terms of section 3.

(2) Subsection (1) shall not apply to a printer of printed matter not intended for public sale or public distribution.

#### Registration of imprint abbreviation

3. (1) A printer who desires to use an abbreviation instead of his full name and address as contemplated in section 2, shall apply therefor to the Printing Industries Federation of South Africa or such other authority as the Minister may designate by notice in the Gazette.

(2) Any such application shall contain the prescribed particulars and be accompanied by the prescribed fee.

(3) The Federation or authority, as the case may be, shall in writing notify the applicant of the result of the application.

(4) No person other than the printer to whom consent has been granted to use an abbreviation, shall use that abbreviation in connection with any printed matter.

(5) The Federation or authority contemplated in subsection (1) shall keep a register of the prescribed particulars of all applications in terms of this section, and shall upon application by any person and on payment of the prescribed fee furnish such person with a certified copy of such particulars of that register as he may require.

(6) (a) Whenever a change occurs in regard to any of the particulars furnished in any application in terms of subsection (1), the printer concerned shall within 14 days after the day on which the change occurred, in writing notify the Federation or authority contemplated in subsection (1) of such change.

(b) Any such notice shall contain the prescribed particulars and be accompanied by the prescribed fee.

(c) The Federation or authority, as the case may be, shall thereupon appropriately alter the register referred to in subsection (5).

#### Origin of foreign printed matter

4. No person shall distribute in the Republic any printed matter not printed in the Republic, unless the name of the country of origin is affixed thereto.

#### Exemptions

5. The Minister may by notice in the Gazette exempt any type of printed matter from the provisions of section 2.

#### Regulations

6. The Minister may make regulations as to-

(a) the procedure to be followed in connection with the registration of abbreviations of the names of printers;

(b) any matter which shall or may be prescribed under this Act. and, in

general, for the more efficient implementation of the objectives of this Act.

Offences

7. Any person who contravenes or fails to comply with any provision of section 2(1), 3(4) or (6)(a) or 4, shall be guilty of an offence and liable on conviction to a fine, or to imprisonment for a period not exceeding one year.

Amendment of section 1 of Act 63 of 1971

8. Section 1 of the Newspaper and Imprint Registration Act, 1971 (hereinafter referred to as the principal Act), is hereby amended-

(a) by the insertion before the definition of "Minister" of the following definition:

*"'Director-General' means the Director-General of Home Affairs;"*,

(b) by the substitution for the definition of "Minister" of the following definition:

*" 'Minister' means the Minister of **the Interior Home Affairs**;"* and

(c) by the deletion of the definitions of "printed matter", "printer" ' Republic" and 'Secretary '.

Substitution of section 3 of Act 63 of 1971

9. The following section is hereby substituted for section 3 of the principal Act:

"Application for registration of newspaper

3. (a) Any person intending to print and publish a newspaper in the Republic **or to continue to publish and print in the Republic a newspaper referred to in section 14(2)** shall lodge with the **Secretary Director-General** on the prescribed form an application for the registration of such newspaper.

(b) Any such application shall contain the prescribed particulars and shall **except in the case of a newspaper referred to in section 14(2)** be accompanied by the prescribed fee."

Repeal of Chapter III of Act 63 of 1971

10. Chapter III of the principal Act is hereby repealed.

Substitution of section 13 of Act 63 of 1971

11. The following section is hereby substituted for section 13 of the principal Act:

"Regulations

13.(1) *The Minister may make regulations as to-*

- (a) *the procedure to be followed in connection with the registration of newspapers;*
- (b) *any matter which shall or may be prescribed under this Act.*

*(2) Any regulation contemplated in subsection (1) prescribing money, shall only be made with the concurrence of the Minister of State Expenditure. .*

Repeal of section 14 of Act 63 of 1971

12. Section 14 of the principal Act is hereby repealed.

Substitution of word in Act 63 of 1971

13. The principal Act is hereby amended by the substitution for the word "Secretary", wherever it occurs, of the word "Director-General".

Substitution of section 16 of Act 63 of 1971

14. The following section is hereby substituted for section 16 of the principal Act:

"Short title

16. This Act shall be called the **Newspaper and Imprint Registration Act, 1971 and shall come into operation on a date fixed by the State President by proclamation in the Gazette.**".

Substitution of long title of Act 63 of 1971

15. The following long title is hereby substituted for the long title of the principal Act:

"ACT

To provide for the registration of newspapers **and imprints; to regulate certain matters in connection with printed matter;** and to provide for matters connected therewith.".

Short title and commencement

16. This Act shall be called the Imprint Act, 1993, and shall come into operation on a date fixed by the State President by proclamation in the Gazette.