

(2) The repeal of the enactment specified in subsection (1) does not affect anything done or purported to have been done under the enactment.

PASSED in the National Assembly this 13th day of December in the year of Our Lord Two Thousand and Four

M. S. JALLOW
Clerk of the National Assembly

THIS PRINTED IMPRESSION has been carefully compared by me with the original which was passed in the National Assembly, and found by me to be a true and correct copy of the said Bill.

M. S. JALLOW
Clerk of the National Assembly



THE GAMBIA
NO. 17 OF 2004.

Assented to by The President,
this 22nd day of December, 2004.

YAHYA A. J. J. HAMMIEH
President.

LS

AN ACT to amend the Newspaper Act and for matters connected therewith.

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ENACTED by the President and the National Assembly.

1. This Act may be cited as the Newspaper (Amendment) Act, 2004.

2 The Newspaper Act, as amended, (in this Act referred to as "the principal Act") is hereby further amended as set out in this Act.

Short title

Amendment of
Cap. 32:04
1996 Nos. 70 and
71

Amendment of
section 1

3. Section 1 of the principal Act is amended by inserting immediately after the word "Newspaper" the words "and Broadcasting Stations".

Amendment of
section 2

4. Section 2 of the principal Act is amended by inserting in the proper alphabetical sequence, the following new definitions –

"broadcasting stations" means television and radio stations but does not include any such station owned or operated by or under the authority of the Government;

"Secretary of State" means the Secretary of State responsible for the administration of the Act;

Amendment of
section 3

5. There is hereby substituted for section 3 of the principal Act, the following new section –

"Affidavit required from proprietor, etc of newspaper and broadcasting stations

3. No person shall print or publish any newspaper, or operate a broadcasting station, or cause any newspaper to be printed or published or a broadcasting station to be operated unless the proprietor, printer, publisher or operator of the newspaper or the broadcasting station, as the case may be, shall each have previously made, signed and sworn before a Magistrate or a Commissioner for Oaths and registered in the office of the Registrar-General, an affidavit containing the following particulars–

(a) the title, names or designation of the newspaper or broadcasting station;

Amendment of
section 4

6. Section 4 of the principal Act is amended by inserting immediately after the word "publisher", the words "of the newspaper, or the proprietor and operator of the broadcasting station, as the case may be,"

Amendment of
section 5

7. Section 5 of the principal Act is amended by inserting immediately after the word "newspaper", the words "and the proprietor and operator of every broadcasting station"

Amendment of
section 7

8. There is hereby substituted for section 7 of the principal Act –

"Bond required
7. (1) No person shall –

- (a) print or publish a newspaper,
- (b) operate a broadcasting station; or
- (c) cause a newspaper to be printed, or published or a broadcasting station to be operated,

unless he shall have previously given and executed and registered in the office of the Registrar-General a bond in the sum of five hundred thousand dalasis with such surety or sureties as may be required and approved by the Attorney-General.

(2) The condition of the bond shall be that the proprietor, printer or publisher of the newspaper or the proprietor or operator of the broadcasting station shall pay-

(a) to the State every monetary penalty which may at any time be imposed upon or adjudged against him or them upon any conviction for printing or publishing in the said newspaper, or broadcasting station any blasphemous or seditious or other libel at any time after the execution of such bond;

(b) all other penalties whatsoever which may be imposed upon or adjudged against him or them by any court under the provisions of this Act or any other law in force in The Gambia in respect of any matter or thing done or omitted to be done by him or them after the execution of such bond; and

Amendment of
section 7A

9. There is hereby substituted for section 7A of the principal Act, the following new section -

"Cancellation
of existing
bonds

(c) any damages and costs on any judgment for the plaintiff in any action for libel or other false publication under this Act against such proprietor, printer, publisher or operator, as the case may be, in respect of any libel or false publication printed, published or broadcast in the newspaper or broadcasting station, as the case may be, after the execution of such bond.

7A. (1) Any bond given and executed under section 7 of this Act in the sum of one hundred thousand dalasis is hereby cancelled, and no newspaper or broadcasting station shall continue to be printed, published or operated, as the case may be, with that bond unless the bond of five hundred thousand dalasis as required under section 7 has been given and executed.

(2) No newspaper or broadcasting station shall, after fourteen days of the coming into force of this subsection, be printed, published or operated, as the case may be, without the bond of five hundred thousand dalasis having been given and executed with the Registrar General."

Amendment of
section 9

10. Section 9 of the principal Act is amended by inserting -

- (a) immediately before the words "as the case may be", the words "or operator";
- (b) in the proviso, immediately after the words "publisher" and "published" the words "or operator, as the case may be," and "or broadcast", respectively.

Amendment of
section 10

11. Section 10 of the principal Act is amended after paragraph (e), by substituting for the phrase commencing with the words "then and in every such case" to the end, the following new phrase -

"then and in every such case the person for whom such surety shall have been bound shall not print, publish or operate, or cause to be printed, published or operated any newspaper or broadcasting station, as the case may be, in respect of which such surety shall have been bound until such person shall have executed and registered a new bond to the amount and in the manner prescribed by sections 7 and 8 of this Act."

Amendment of
section 12

12. Section 12 of the principal Act is amended by substituting for the word "Ministry", the words, "Department of State"

Insertion of section
12A

13. There is hereby inserted immediately after section 12 of the principal Act, the following new section -

"Code of
Conduct
12A. (1) The media practitioners shall, within six months of the coming into force of this section-

- (a) provide for themselves a Code of Conduct which will set out the highest standards of professional conduct, etiquette and discipline expected of them, and specify penalties for the breach of the Code of Conduct; and

- (b) set up a disciplinary body that will ensure that they abide by the Code of Conduct.

(2) In this section, "media practitioners" means persons engaged in writing, editing or transmitting news and information to the public and includes the proprietors, publishers, editors, editors-in-chief and managers of newspapers or broadcasting stations, and journalists."

Amendment of
section 13

14. Section 13 of the principal Act is amended in subsection (2), by substituting for -

- (a) the words "one hundred thousand dalasis", the words "five hundred thousand dalasis"; and

- (b) the words "ten thousand dalasis" and "fifty thousand dalasis", the words "fifty thousand dalasis" and "two hundred and fifty thousand dalasis, respectively.

Amendment of
section 14

15. Section 14 of the principal Act is amended in subsections (1) and (2), by substituting for the word "Minister", the words "Secretary of State" and inserting immediately after the word "newspaper", the words "or broadcasting station".

PASSED in the National Assembly this 13th day of December,
in the year of Our Lord Two Thousand and Four

M. S. JALLOW

Clerk of the National Assembly.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which was passed in the National Assembly, and found by me to be a true and correct copy of the said Bill.

M. S. JALLOW

Clerk of the National Assembly.

(Criminal Code (Amendment) Act, 2004



THE GAMBIA

NO. 18 OF 2004.

Assented to by The President,
this 28th day of December, 2004.

YAHYA A. J. J. JAMMEH
President.

LS

AN ACT to amend the Criminal Code and for
matters connected therewith.

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ENACTED by the President and the National
Assembly.

Short title
1. This Act may be cited as the Criminal Code
(Amendment) Act, 2004.

Amendment of
Cap. 10
2. The Criminal Code (in this Act referred to as
"the principal Act") is hereby amended as set out in
the following provisions of this Act.