



BELIZE

**UNDESIRABLE PUBLICATIONS ACT
CHAPTER 243**

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CHAPTER 243**UNDESIRABLE PUBLICATIONS****ARRANGEMENT OF SECTIONS**

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CHAPTER 243

UNDESIRABLE PUBLICATIONS

Ch. 16.,
R.L., 1958.
CAP. 200,
R.E. 1980-1990.
40 of 1963.

[8th August, 1953]

Short title.

1. This Act may be cited as the Undesirable Publications Act.

Interpretation.

2. In this Act, unless the context otherwise requires,

“import” includes,

(a) to bring into Belize; and

(b) to bring within the inland waters of Belize, whether or not the publication is brought ashore, and whether or not there is an intention to bring it ashore;

“Minister” means the Attorney General;

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

“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.

Power to prohibit importation of publication.
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3. If the Minister is of the opinion that any publication is contrary to the public interest, he may, in his absolute discretion, by Order, prohibit the importation of such publication and in the case of a periodical publication may, by the same or a subsequent Order, prohibit the importation of any past or future issue thereof.

4.-(1) Any person who imports, publishes, sells, offers for sale, distributes, or reproduces any publication, the importation of which has been prohibited under section 3 of this Act, or any extract therefrom, commits an offence and is liable on summary conviction or indictment, for a first offence, to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand dollars or to both, and for a subsequent offence to imprisonment for a term not exceeding two years, and such publication or extract therefrom shall be forfeited.

Offences.

(2) Any person who, without lawful excuse, has in his possession any publication the importation of which has been prohibited under section 3 of this Act, or any extract therefrom, commits an offence and is liable on summary conviction or indictment, for a first offence, to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand dollars or to both, and for a subsequent offence, to imprisonment for a term not exceeding two years, and such publication or extract therefrom shall be forfeited.

5.-(1) Any person,

- (a) to whom any publication, the importation of which has been prohibited under section 3 of this Act, or any extract therefrom, is sent without his knowledge or privity or in response to a request before the prohibition of the importation of such publication comes into effect; or
- (b) who has such a publication or extract therefrom in his possession at a time when the prohibition of its importation comes into effect,

Delivery of prohibited publication to police station or magistrate's office.

shall forthwith if or as soon as the nature of its contents has become known to him, or in the case of publication or extract therefrom coming into his possession before an Order prohibiting the importation of such publication, deliver the publication or extract therefrom to the officer-in-charge of the nearest police station or magistrate's office.

(2) Any person who fails to comply with subsection (1) of this section, commits an offence and is liable on summary conviction or indictment to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand dollars or to both, and such publication or extract therefrom shall be forfeited.

(3) A person who complies with the provisions of subsection (1) of this section, or is convicted of an offence under that subsection shall not be liable to be convicted for having imported or having in his possession the same publication or extract therefrom.

Power to examine packages.

6.-(1) Any of the following officers,

- (a) the Postmaster General;
- (b) the Comptroller of Customs;
- (c) the Commissioner of Police;
- (d) any senior police officer of or above the rank of Assistant Inspector;
- (e) any other official authorized in that behalf by the Minister,

40 of 1963.

may detain, open and examine any package or article which he suspects to contain any publication or extract therefrom the possession of which is an offence and which is an offence under section 4 to import, publish, sell, offer for sale, distribute, reproduce, or possess, and during such examination may detain any person possessing, importing, distributing, or posting such package or article or in whose possession such package or article is found.

(2) If any such publication or extract therefrom is found in the package or article, the whole package or article may be impounded and retained by the officer and the person importing, distributing, or posting it, or in whose possession it is found, may forthwith be arrested and proceeded against for the commission of an offence under section 4 or 5 of this Act, as the case may be.