

British Guiana.

REGULATIONS MADE BY THE GOVERNOR UNDER THE PROVISIONS OF THE EMERGENCY POWERS ORDER IN COUNCIL, 1939, (PUBLISHED IN A PROCLAMATION OF THE 25TH DAY OF AUGUST, 1939).

1. These Regulations may be cited as the Censorship Regulations, 1939, and shall come into operation on the date of their publication in the *Gazette*.

Short title.
Date of coming into operation.

2. (1) The Governor may appoint a censor of postal matter and telegrams and such number of assistant and deputy assistant censors as he shall think fit, and the word "censor" in these Regulations includes any assistant censor so appointed.

Appointment of censor and censorship.

(2) The Governor may by warrant under his hand authorise the Postmaster-General and any person in charge of cable and radio stations to detain and produce to the censor all postal packets and telegrams coming into their possession either for transmission or delivery.

(3) The censor, or any person authorised by him, may open, examine, censor or detain either permanently or for so long a period as he may deem necessary any postal packet or telegram of any description whatsoever which may be in course of, or intended for, transmission to, from, or through the Colony.

(4) Any person who without lawful authority transmits any telegram at any place in the Colony or on any vessel or aircraft within the territorial waters thereof unless such telegram has first been passed for transmission by the censor is guilty of an offence against these Regulations.

Postal communications.

3. (1) The Governor may make provision by order for securing that postal packets of any such description as may be specified in the order shall not be despatched by post from the Colony to destinations outside the Colony except in accordance with the order; and in particular, but without prejudice to the generality of the preceding provisions of this paragraph, any such order may, in relation to any description of postal packets, direct that no postal packet of that description shall be so despatched as aforesaid otherwise than under the authority of a permit granted by such authority or person as may be specified in the order.

(2) The Governor may make provision by order for securing that, subject to any exemptions for which provision may be made by the order, and except in accordance with such conditions as may be contained therein, no document, pictorial representation or photograph or other article whatsoever recording information shall be sent or conveyed from the Colony to any destination outside the Colony otherwise than by post, or conveyed into the Colony otherwise than by post.

No person shall have any article in his possession for the purpose of sending or conveying it in contravention of an order made under this paragraph.

(3) Any person who is about to embark on any vessel or aircraft at any place in the Colony for the purpose of leaving the Colony, or lands from any vessel or aircraft at any place on coming to the Colony, (which person is hereafter in this paragraph referred to as "the traveller") shall, if requested so to do by a police officer,—

(a) declare whether or not the traveller has with him any such article as is mentioned in paragraph (2) of this regulation;

(b) produce any such article as aforesaid which he has with him;

and a police officer, and any person acting under his directions, may examine or search any article which the traveller has with him, for the purpose of ascertaining whether he is conveying or has in his possession any article in contravention of paragraph (2) of this regulation, and, if the police officer has reasonable ground for suspecting that the traveller has any article about his person in contravention of that paragraph, search him, and may seize any article produced as aforesaid or found upon such examination or search as aforesaid, being an article as to which the police officer has reasonable ground for suspecting that it is being sent or con-

veyed in contravention of the said paragraph or is in the traveller's possession in contravention of that paragraph :

Provided that no woman shall be searched in pursuance of this paragraph except by a woman.

(4) Where, at any place in the Colony, any person is on any occasion found in circumstances in which it is reasonable to suppose that on that occasion he has communicated, or intends to communicate, at that place with a person embarking thereat on a vessel or aircraft for the purpose of leaving the Colony or landing thereat from a vessel or aircraft on coming to the Colony, the provisions of paragraph (3) of this regulation shall apply in relation to the person so found, as they apply in relation to a person about to embark on a vessel or aircraft for the purpose of leaving the Colony ; and where any person is on any occasion found travelling in the Colony to or from any place in such circumstances as aforesaid, the said provision shall apply in relation to him as they would apply if, when so found, he had been about to embark on a vessel or aircraft for the purpose of leaving the Colony.

Where there is declared or produced to a police officer in compliance with this regulation, or discovered by the police officer in circumstances in which it ought to have been so declared or produced, any plate, film or other article as aforesaid which he suspects to have been exposed in a camera but not developed, he may cause to be taken, or require the person by whom it is declared or produced or in whose possession it is discovered to take, such steps (including subjection of the article to the process of development) as may be reasonably necessary for enabling the police officer to ascertain whether or not it has been so exposed.

4. Proceedings in respect of an offence alleged to have been committed by a person against any of these Regulations may be taken before the appropriate court in the Colony having jurisdiction in the place where that person is for the time being.

Legal proceedings.

5. If any person contravenes or fails to comply with any of these Regulations, or any order made under any of these Regulations or any direction given or requirement imposed under any of these Regulations, he shall be guilty of an offence against that regulation and shall—

Penalties.

- (1) on summary conviction, be liable to imprisonment for a term not exceeding three months or to a fine not exceeding five hundred dollars, or to both such imprisonment and such fine, or
- (2) on conviction on indictment, be liable to imprisonment for a term not exceeding two years or to a fine not exceeding two thousand five hundred dollars, or to both such imprisonment and such fine.

Liability
for offences.

6. Nothing in these Regulations shall affect the liability of any person to trial and punishment for any offence otherwise than in accordance with these Regulations :

Provided that no person shall be punished twice for the same offence.

Powers of
Governor.

7. The powers conferred by these Regulations shall be in addition to and not in derogation of any rights or powers vested in the Governor, or conferred by law on any other authority or person.

Made this 25th day of August, 1939.

E. J. WADDINGTON,
Acting Governor.